



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

August 16, 1984

Docket No. STN 50-601

Mr. Robert A. Wieseemann, Manager
Regulatory and Legislative Affairs
Westinghouse Electric Corporation
P.O. Box 355
Pittsburgh, Pennsylvania 15230

Dear Mr. Wieseemann:

SUBJECT: WESTINGHOUSE ADVANCED PRESSURIZED WATER REACTOR (WAPWR) REFERENCE SAFETY ANALYSIS REPORT, RESAR-SP/90, PRELIMINARY DESIGN APPROVAL APPLICATION REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

By letter dated July 31, 1984 (NS-EPR-2944) and its enclosed application (AW-84-77) and affidavit, Westinghouse submitted RESAR-SP/90 PDA Module 5, "Reactor System" (Volumes 1 and 2) and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790.

You stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.
2. The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public. Westinghouse has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence.
3. The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.790, it is to be received in confidence by the Commission.
4. The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method.
5. Public disclosure of this information is likely to cause substantial harm to the competitive position of Westinghouse as it would reveal the description of the improved design features of the WAPWR; Westinghouse plans for future design, testing and analysis aimed at design verification; and demonstration of the design's capability to meet evolving NRC/ACRS safety goals.

We have reviewed your application and the material based on the requirements and criteria of 10 CFR 2.790 and, on the basis of Westinghouse's statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information.

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, insure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You should also understand that the NRC may have cause to review this determination in the future, such as, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,

Cecil O. Thomas

Cecil O. Thomas, Chief
Standardization and Special
Projects Branch
Division of Licensing

We have reviewed your application and the material based on the requirements and criteria of 10 CFR 2.790 and, on the basis of Westinghouse's statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information.

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Sincerely,

Original signed by

Cecil O. Thomas, Chief
Standardization and Special
Projects Branch
Division of Licensing

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