



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

January 16, 1996

52-003

Mr. Nicholas J. Liparulo
Nuclear Safety and Regulatory Activities
Westinghouse Electric Corporation
P.O. Box 355
Pittsburgh, Pennsylvania 15230

SUBJECT: RETURN OF PROPRIETARY MATERIAL TO WESTINGHOUSE DOCKETED UNDER THE
AP600 DESIGN REVIEW

Dear Mr. Liparulo:

By Westinghouse letter NTD-NRC-95-4556, dated September 18, 1995, you provided a status report on proprietary material submitted to the Nuclear Regulatory Commission (NRC) to support the AP600 design review effort. This report was in response to an NRC letter dated August 11, 1995, to you which requested Westinghouse to determine if any of the AP600 submittals were: (1) no longer considered to be proprietary under 10 CFR 2.790, or; (2) no longer current and applicable to the AP600 design.

As a result of this review, you identified a number of proprietary submittals to be returned to Westinghouse which you no longer considered necessary to support the AP600 design certification effort. The primary reason you cited for recalling this proprietary material was that most of the documents and submittals have been superseded or revised by a later version. Discussions with members of your licensing staff revealed that Westinghouse also believes that it is important to retract these documents to minimize the amount of proprietary material on the AP600 docket and reduce the chance that material outside of Westinghouse control could be inadvertently compromised. You have requested that this material be returned even if the NRC has determined that the material is proprietary.

The NRC technical review staff is currently performing an assessment of the documents to be retracted to ensure that they are not relied on to support its safety determination relative to the AP600 review and are wholly superseded by later Westinghouse submittals which can support the staff's safety determination independent of the retracted material. During discussions and a meeting with your staff, we were told that documents submitted in support of the AP600 application are subject to the retention requirements of 10 CFR Part 50, Appendix A, Criterion 1, and will be retained for the lifetime of the application. We request that you provide written confirmation within 30 days of receipt of this letter that all AP600 related proprietary documents, which have been identified for retraction, will be permanently retained by Westinghouse. Based on your assurances that the retracted documents will be retained at Westinghouse, we are satisfied that an adequate mechanism exists for NRC retrieval and inspection of these documents if required.

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Mr. Nicholas J. Liparulo

- 2 -

January 16, 1996

As a consequence of this effort, and in accordance with your request, the staff has removed the following proprietary document from the AP600 docket file and is returning it to Westinghouse for your disposition:

AP600 OREGON STATE UNIVERSITY TEST ANALYSIS REPORT: PRELIMINARY COPY
(Enclosure to Westinghouse letter NTD-NRC-95-4497 dated June 30, 1995)

The original document contained in the docket file is being returned. NRC staff, contractors, or other parties who received internal NRC distribution have been notified to destroy their copies. The staff notes that the forwarding letter and affidavit associated with the retracted material, along with any non-proprietary version of the submittal which have been placed in the Public Document Room, will remain on the docket.

The staff will continue to evaluate other proprietary documents identified in Westinghouse letter NTD-NRC-95-4556 and return them as appropriate.

Sincerely,

original signed by:

William C. Huffman, Project Manager
Standardization Project Directorate
Division of Reactor Program Management
Office of Nuclear Reactor Regulation

Docket No. 52-003

Enclosure: As stated

cc w/o enclosure:
See next page

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Mr. Nicholas J. Liparulo (w/o enclosure)
Westinghouse Electric Corporation

Docket No. 52-003
AP600

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