



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 5, 1996

Mr. Brian A. McIntyre, Manager  
Advanced Plant Safety & Licensing  
Westinghouse Electric Company  
Energy Systems Business Unit  
P.O. Box 355  
Pittsburgh, Pennsylvania 15230-0355

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR  
WESTINGHOUSE AP600 DESIGN LETTER OF FEBRUARY 16, 1996

Dear Mr. McIntyre:

By Westinghouse letter NSD-NRC-96-4649, dated February 16, 1996, you submitted responses to the Nuclear Regulatory Commission (NRC) requests for additional information (RAI's) on the AP600 design certification test program and the W/GOTHIC computer code. The material is provided via enclosure in both a proprietary and nonproprietary form.

In the letter, you identified information in the RAI's responses which was considered proprietary and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. The attached affidavit executed by Nicholas J. Liparulo on February 16, 1996, (AW-95-930), stated that this information should be considered exempt from mandatory public disclosure for the following reasons:

- a. The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
- b. It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- c. Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.

We have reviewed your submittal and the material in accordance with the requirements 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, we have determined that the proprietary materials enclosed in NSD-NRC-96-4649, which is 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 of 1954, as amended.

NRC FILE CENTER COPY

DF03/0

9604100110 960405  
PDR ADOCK 05200003  
A PDR

Mr. Brian A. McIntyre

- 2 -

April 5, 1996

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, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public disclosure 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 understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your withheld 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,

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

cc: See next page

DISTRIBUTION:

Docket File  
PUBLIC  
WHuffman  
JMoore, 0-15 B18  
ACRS (11)  
TCollins, 0-8 E23

PDST R/F  
RArchitzel  
DJackson  
WDean, EDO  
EJordan, T-4 D18

TQuay  
TKenyon  
JSebrosky  
MSiemien, OGC  
ALevin, 0-8 E23

DOCUMENT NAME: A:PRPRITRY.24 (3C AP600 DISK)

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	PM:PDST:DRPM	SC:PDST:DRPM	SC:SRXB	OGC		
NAME	WHuffman	RArchitzel	TCollins	MPSiemien		
DATE	3/29/96	3/29/96	4/10/96	4/5/96		

OFFICIAL RECORD COPY

Mr. Brian A. McIntyre  
Westinghouse Electric Corporation

Docket No. 52-003  
AP600

cc: Mr. Nicholas J. Liparulo  
Nuclear Safety and Regulatory Analysis  
Nuclear and Advanced Technology Division  
Westinghouse Electric Corporation  
P.O. Box 355  
Pittsburgh, PA 15230

Mr. Ronald Simard, Director  
Advanced Reactor Programs  
Nuclear Energy Institute  
1776 Eye Street, N.W.  
Suite 300  
Washington, DC 20006-3706

Mr. John C. Butler  
Advanced Plant Safety & Licensing  
Westinghouse Electric Corporation  
Energy Systems Business Unit  
Box 355  
Pittsburgh, PA 15230

Ms. Lynn Connor  
Doc-Search Associates  
Post Office Box 34  
Cabin John, MD 20818

Mr. M. D. Beaumont  
Nuclear and Advanced Technology Division  
Westinghouse Electric Corporation  
One Montrose Metro  
11921 Rockville Pike  
Suite 350  
Rockville, MD 20852

Mr. James E. Quinn, Projects Manager  
LMR and SBWR Programs  
GE Nuclear Energy  
175 Curtner Avenue, M/C 165  
San Jose, CA 95125

Mr. Sterling Franks  
U.S. Department of Energy  
NE-42  
Washington, DC 20585

Mr. John E. Leatherman, Manager  
SBWR Design Certification  
GE Nuclear Energy, M/C 781  
San Jose, CA 95125

Mr. S. M. Modro  
Nuclear Systems Analysis Technologies  
Lockheed Idaho Technologies Company  
Post Office Box 1625  
Idaho Falls, ID 83415

Barton Z. Cowan, Esq.  
Eckert Seamans Cherin & Mellott  
600 Grant Street 42nd Floor  
Pittsburgh, PA 15219

Mr. Frank A. Ross  
U.S. Department of Energy, NE-42  
Office of LWR Safety and Technology  
19901 Germantown Road  
Germantown, MD 20874

Mr. Ed Rodwell, Manager  
PWR Design Certification  
Electric Power Research Institute  
3412 Hillview Avenue  
Palo Alto, CA 94303

Mr. Charles Thompson, Nuclear Engineer  
AP600 Certification  
U.S. Department of Energy  
NE-451  
Washington, DC 20585