



UNITED STATES
 NUCLEAR REGULATORY COMMISSION
 WASHINGTON, D.C. 20555-0001

April 24, 1996

Mr. Brian A. McIntyre, Manager
 Advanced Plant Safety and Licensing
 Westinghouse Electric Company
 P.O. Box 355
 Pittsburgh, Pennsylvania 15230-0355

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR
 WESTINGHOUSE AP600 DESIGN LETTER OF JANUARY 31, 1996

Dear Mr. McIntyre:

By Westinghouse letter NTD-NRC-96-4636, dated January 31, 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 LOFTRAN, NOTRUMP, and WCOBRA/TRAC computer codes. The material is provided via enclosure in both a proprietary and nonproprietary form.

In the letter, you identify information in the RAI's responses which you consider proprietary and request that it be withheld from public disclosure pursuant to 10 CFR 2.790. The attached affidavit executed by James M. Brennan on January 31, 1996, (AW-96-921), states 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 NTD-NRC-96-4636, 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.

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April 24, 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

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Mr. Brian A. McIntyre

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April 24, 1996

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Sincerely,



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

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

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

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

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

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

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

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

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

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

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

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