

Docket File

52-003



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 15, 1998

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

SUBJECT: REQUEST FOR WITHHOLDING PROPRIETARY INFORMATION -WCAP-14135, "FINAL TEST REPORT FOR PCS LARGE-SCALE TESTS, PHASE 2 AND PHASE 3"

Dear Mr. McIntyre:

By letter dated July 20, 1998, the staff requested that Westinghouse review its claim and to notify the staff with regard to what portions of WCAP-14135, Revisions 1, Westinghouse considered company proprietary. The basis for this request was that the staff was unable to determine what information was considered proprietary and in some cases why it was considered proprietary due to an inconsistency in, or lack of, proprietary markings. The nonproprietary version of the document revealed information that was marked as proprietary; the nonproprietary and proprietary versions of the documents indicated different reasons for the proprietary claim; and the drawings contained in WCAP-14135, Revision 1, were marked as proprietary, however, the reasons the drawings were considered proprietary was not indicated.

By letter dated August 21, 1998, Westinghouse provided a consistent rationale for their proprietary claim and established the reasons for maintaining the drawings included in WCAP-14135 as proprietary. Also, in a letter dated August 26, 1998, Westinghouse agreed to remove the proprietary claim from the information presented in WCAP-14135, Revision 1, Sections 1 and 2, and to provide revised pages for sections 1 and 2 of WCAP-14135, Revision 1, and WCAP-14138 with the proprietary markings removed. On the basis of this commitment, the staff has decided to accept the claim that the information in WCAP-14135, Revision 1, is proprietary and will be withheld from public disclosure.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the document. 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 inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the Nuclear Regulatory Commission (NRC). You should also understand that the NRC

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Mr. Brian A. McIntyre

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may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request included your information. In all review situations, if the NRC needs additional information from you or makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,

original signed by:

Dino C. Scaletti, Project Manager
Standardization Project Directorate
Division of Reactor Program Management
Office of Nuclear Reactor Regulation

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cc: See next page

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Mr. Brian A. McIntyre
Westinghouse Electric Corporation

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cc: Mr. H. A. Sepp
Advanced Plant Safety & Licensing
Westinghouse Electric Corporation
Energy Systems Business Unit
P.O. Box 355
Pittsburgh, PA 15230

Ms. Susan Fanto
Advanced Plant Safety & Licensing
Westinghouse Electric Corporation
Energy Systems Business Unit
P.O. Box 355
Pittsburgh, PA 15230

Mr. Sterling Franks
U.S. Department of Energy
NE-50
19901 Germantown Road
Germantown, MD 20874

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

Mr. Charles Thompson, Nuclear Engineer
AP600 Certification
NE-50
19901 Germantown Road
Germantown, MD 20874

Mr. Robert Maiers, P.E.
Pennsylvania Department of
Environmental Protection
Bureau of Radiation Protection
Rachel Carson State Office Building
P.O. Box 8469
Harrisburg, PA 17105-8469

Mr. Russ Bell
Senior Project Manager, Programs
Nuclear Energy Institute
1776 I Street, NW
Suite 300
Washington, DC 20006-3706

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

Dr. Craig D. Sawyer, Manager
Advanced Reactor Programs
GE Nuclear Energy
175 Curtner Avenue, MC-754
San Jose, CA 95125

Mr. Robert H. Buchholz
GE Nuclear Energy
175 Curtner Avenue, MC-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