

Westinghouse Non-Proprietary Class 3



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LTR-NRC-23-34
December 20, 2023

Subject: Transmittal of Topical Report Submittals Forecast – December 2023 Update (Proprietary)

This letter supersedes the information submitted in LTR-NRC-23-15.

The list in Enclosure 2 represents Westinghouse Electric Company LLC (“Westinghouse”)’s current forecast of topical report submittals for CY2024-CY2026 with review priority rankings for various programs. It is possible that some reports may not be completed and that additional reports may be submitted during this period. Therefore, there are no commitments provided in this letter.

The topical reports being submitted through the Pressurized Water Reactor Owners Group (PWROG) are not included in this list. That information is communicated separately by the PWROG.

This submittal contains proprietary information of Westinghouse. In conformance with the requirements of 10 CFR Section 2.390, as amended, of the Nuclear Regulatory Commission’s (“Commission’s”) regulations, we are enclosing with this submittal an Affidavit. The Affidavit sets forth the basis on which the information identified as proprietary may be withheld from public disclosure by the Commission.

The subject document was prepared and classified as Westinghouse Proprietary Class 2. Westinghouse requests that the document be considered proprietary in its entirety. As such, a non-proprietary version will not be issued.

Correspondence with respect to the proprietary aspects of this submittal or the Westinghouse Affidavit should reference AW-23-061 and should be addressed to Camille T. Zozula, Interim Director, Management Systems and Regulatory Compliance, Westinghouse Electric Company, 1000 Westinghouse Drive, Building 1, Cranberry Township, PA 16066.

A handwritten signature in black ink, appearing to read 'Zachary S. Harper'.

Zachary S. Harper, Manager
Licensing Engineering

cc: Ekaterina Lenning
Gerond George

Enclosures:

- (1) Affidavit, AW-23-061
- (2) Topical Report Submittals Forecast – December 2023 Update (Proprietary)

Commonwealth of Pennsylvania:

County of Butler:

- (1) I, Zachary Harper, Senior Manager, Licensing Engineering, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse).
- (2) I am requesting LTR-NRC-23-34 be withheld from public disclosure under 10 CFR 2.390.
- (3) I have personal knowledge of the criteria and procedures utilized by Westinghouse in designating information as a trade secret, privileged, or as confidential commercial or financial information.
- (4) Pursuant to 10 CFR 2.390, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.
 - (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse and is not customarily disclosed to the public.
 - (ii) The information sought to be withheld is being transmitted to the Commission in confidence and, to Westinghouse's knowledge, is not available in public sources.
 - (iii) Westinghouse notes that a showing of substantial harm is no longer an applicable criterion for analyzing whether a document should be withheld from public disclosure. Nevertheless, public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar technical evaluation justifications and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

- (5) Westinghouse has policies in place to identify proprietary information. Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:
- (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.
 - (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
 - (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
 - (f) It contains patentable ideas, for which patent protection may be desirable.
- (6) The attached submittal contains proprietary information throughout, for the reasons set forth in Sections (5) (e) of this Affidavit. Accordingly, a redacted version would be of no value to the public.

I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/20/2023



Signed electronically by
Zachary Harper