

June 30, 2003

Mr. Michael M. Corletti  
AP600 & AP1000 Projects  
Westinghouse Electric Company  
P.O. Box 355  
Pittsburgh, PA 15230-0355

SUBJECT: AP1000 - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC  
DISCLOSURE PERTAINING TO PRESENTATION SLIDES FOR THERMAL  
HYDRAULICS MEETING HELD MAY 29, 2003 (AW-03-1648)

Dear Mr. Corletti:

By application and affidavit dated May 28, 2003, executed by Mr. James W. Winters, you submitted the final version of the Westinghouse Electric Company's (Westinghouse) presentation slides that were presented to the staff during the closed portion of the AP1000 Thermal-Hydraulics meeting that was held on May 29, 2003. You requested that these presentation slides be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.790. The nonproprietary version of the aforementioned Westinghouse slides has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room (ADAMS Accession No. ML031560369).

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (1) 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,
- (2) it consists of supporting data, including test data, relative to a process, the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability, and
- (3) the information, if used 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 of a similar product.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the version of the submitted information 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.

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 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 may have cause to review this determination in the future; for example, if the scope of a Freedom of Information Act request includes your 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.

Please contact one of the following members of the AP1000 project management team if you have any questions or comments concerning this matter: Mr. John Segala (Lead Project Manager) at (301) 415-1858, [jps1@nrc.gov](mailto:jps1@nrc.gov); Mr. Joseph Colaccino at (301) 415-2752, [jxc1@nrc.gov](mailto:jxc1@nrc.gov); or Ms. Joelle Starefos at (301) 415-8488, [jls1@nrc.gov](mailto:jls1@nrc.gov).

Sincerely,

**/RA/**

Leslie C. Fields, Project Manager  
New Reactor Licensing Project Office  
Office of Nuclear Reactor Regulation

Docket No. 52-006

cc: See next page

M. Corletti

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Sincerely,

**/RA/**

Leslie C. Fields, Project Manager  
New Reactor Licensing Project Office  
Office of Nuclear Reactor Regulation

Docket No. 52-006

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OFFICE	PM:NRLPO	SRXB:BC	OGC	(A)DD:NRLPO
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DATE	6/9/2003	6/9/2003	6/25/2003	6/30/2003

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AP 1000

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