

September 7, 2011

Mr. James A. Gresham, Manager
Regulatory Compliance
Westinghouse Electric Company, LLC
Suite 428, 1000 Westinghouse Drive
Cranberry Township, Pennsylvania 16066

SUBJECT: AP1000 REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE, "SUPPLEMENTARY INFORMATION PROPOSED CHANGES FOR THE AP1000 DESIGN CONTROL DOCUMENT REVISION. 18" (DCP_NRC_003066).

Dear Mr. Gresham:

By letter dated October 18, 2010, Westinghouse Electric Company, LLC (Westinghouse) submitted an affidavit dated October 18, 2010, executed by Mr. R. F. Ziesing, which requested that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

DCP_NRC_003066 Proprietary Enclosures, "Supplementary Information on Proposed Changes for the AP1000 Design Control Document Revision 18."

Non-proprietary copies of the enclosures have been placed in the Nuclear Regulatory Commission's (NRC) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

The affidavit stated that the submitted 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, and

(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 of a similar product.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 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 2.390(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 NRC. You also 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 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.

If you have any questions regarding this matter, I may be reached at 301-415-2783.

Sincerely,

/RA/

Sikhindra K. Mitra, Project Manager
AP1000 Projects Branch 2
Division of New Reactor Licensing
Office of New Reactors

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(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 NRC. You also 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 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.

If you have any questions regarding this matter, I may be reached at 301-415-2783.

Sincerely,

/RA/

Sikhindra K. Mitra, Project Manager
AP1000 Projects Branch 2
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-006

cc: See next page

Distribution:

RidsOgcMailCenter
RidsAcrsAcnwMailCenter
RidsNroDnrlNwe2
RidsNroDsraSpcv
PBuckberg
SMitra
RButler

ADAMS ACCESSION NUMBER: ML112420330

NRO-002

OFFICE	LA:DNRL/NWE2	PM:DNRL/NWE2	BC: DSRA/SPCV	BC:DNRL/NWE2
NAME	RButler	SMitra	JMcKirgan	EMcKenna
DATE	08/31/11	08/31/11	09/01/11	09/07/11

OFFICIAL RECORD COPY