

April 1, 2014

Mr. Brian H. Whitley, Director  
Regulatory Affairs  
Southern Nuclear Operating Company, Inc.  
40 Inverness Center Parkway, B022  
Birmingham, AL 35242

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

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
SUBMITTAL OF "RESPONSE TO NRC'S REQUEST FOR ADDITIONAL  
INFORMATION LETTER NO. 01 RELATED TO LICENSE AMENDMENT  
REQUEST (LAR 13-039) FOR COATING THERMAL CONDUCTIVITY –  
ENCLOSURE 1"

Dear Messrs. Whitley and Gresham:

By letter dated March 5, 2014, Southern Nuclear Operating Company (SNC) submitted an affidavit dated March 5, 2014, and requested that the information contained in the subject document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. In addition by letter dated March 4, 2014, Westinghouse Electric Company (Westinghouse) submitted an affidavit dated March 4, 2014, and requested that the same information contained in the subject document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. The document being addressed by SNC and Westinghouse is as follows:

"Response to NRC's Request for Additional Information Letter No. 01 Related to License Amendment Request (LAR 13-039) for Coating Thermal Conductivity – Enclosure 1"  
dated March 5, 2014

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC) Public Document Room and added to the NRC Library in the Agencywide Documents Access and Management System (ADAMS).

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.

- 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 application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, 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 301-415-1439.

Sincerely,

/RA/

David H. Jaffe, Senior Project Manager  
Licensing Branch 4  
Division of New Reactor Licensing  
Office of New Reactors

Docket Nos.: 52-025  
52-026

cc: See next page

- 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.
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Sincerely,

/RA/

David H. Jaffe, Senior Project Manager  
Licensing Branch 4  
Division of New Reactor Licensing  
Office of New Reactors

Docket Nos.: 52-025  
52-026

cc: See next page

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(Revised 03/05/2014)

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