

May 1, 2014

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

SUBJECT: WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE
FOR THE WESTINGHOUSE SMALL MODULAR REACTOR (W-SMR) SLIDE
PACKAGE SUBMITTAL FOR THE PIPING INTRODUCTORY DISCUSSION
HELD ON FEBRUARY 19, 2014 (NRC PROJECT NO. 0797)

Dear Mr. Gresham:

By letters dated January 21, 2014 and April 9, 2014, Westinghouse Electric Company, LLC (WEC) submitted affidavits (Agencywide Documents Access and Management System (ADAMS) Accession No. ML14027A037 and No. ML14105A032 respectively), in which Mr. Robert B. Sisk, Acting Director, Small Modular Reactor, requested that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

Proprietary presentation slides "Westinghouse Small Modular Reactor Piping Introductory Meeting" ADAMS Accession No. ML14027A039, Revised ML14105A034.

Nonproprietary copies of the presentations (ADAMS Accession No. ML14027A038, Revised ML14105A033) have been placed in the U.S. Nuclear Regulatory Commission (NRC) Public Document Room and added to the NRC Library in ADAMS.

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

- 1) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.
- 2) The information is a type, customarily held in confidence by Westinghouse and not customarily disclosed to the public. The information reveals the distinguishing aspects of a process where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over the other companies.
- 3) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.390; it is to be received in confidence by the Commission.
- 4) The proprietary information sought to be withheld is identified and is appropriately marked as proprietary as it appears in the materials.

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(s) 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 responsibility, if any, of persons directed to properly inspect the documents. If needed, we may send copies of this information to our consultants working in this area. We will ensure that the appropriate agreements for handling proprietary information have been signed.

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 301-415-6402.

Sincerely,

/RA/

Arlon O. Costa, Senior Project Manager
Small Modular Reactor Licensing Branch 2
Division of Advanced Reactors and Rulemaking
Office of New Reactors

Project No.: 0797

cc: Westinghouse Listserv

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Project No.: 0797

cc: Westinghouse Listserv

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NAME	LVechioli	ACosta	ABradford
DATE	04/29/14	04/30/14	05/01/14

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