

August 14, 2015

James A. Gresham
Regulatory Compliance and Plant Licensing
Westinghouse Electric Company, LLC
1000 Westinghouse Drive
Cranberry Township, PA 16066

SUBJECT: RESPONSE TO LETTER REQUESTING TO WITHHOLD PROPRIETARY
INFORMATION IN THE APPROVED VERSION OF TOPICAL REPORT
WCAP-17573-P, REVISION 1, WESTINGHOUSE SMALL BREAK LOCA
PHENOMENA IDENTIFICATION AND RANKING TABLE

Dear Mr. Gresham:

By letter dated May 12, 2015, Mr. Robert B. Sisk, Director Specialized Projects Licensing New Plants and Major Projects; Westinghouse Electric Company, LLC (WEC) submitted Affidavit AW-15-4136 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15141A009), and requested that the information contained in the approved proprietary version of licensing topical report (LTR) "WCAP-17573, Revision 1, Westinghouse Small Modular Reactor (WSMR) Small Break Loss of Coolant Accident Phenomena Identification and Ranking Table" (ADAMS Accession Nos. ML15141A011, ML15141A012, ML15141A013 and ML15141A014), be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

A nonproprietary copy of the approved LTR has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS (Accession No. ML15141A010).

The affidavit stated that the submitted proprietary information should be considered exempt from mandatory public disclosure since its release could cause harm to WEC for the following enabling reasons:

- a) Manufacture and deliver products to utilities based on proprietary designs
- b) Advance the WSMR design and reduce the licensing risk for the application of the WSMR Design Certification
- c) Determine compliance with regulations and standards [and]
- d) Establish design requirements and specifications for the system.

We have reviewed the application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, we have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the approved version of the submitted LTR 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.

Should you have questions regarding this matter, I may be reached at 301-415-6402.

Sincerely,

/RA/

Arlon Costa, Sr. Project Manager
Advanced Reactor and Policy Branch
Division of Advanced Reactors and Rulemaking
Office of New Reactors

Project No.: PROJ0797

cc: Westinghouse – WSMR Mailing List

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DATE	08/13/ 2015	08/14/ 2015

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