

June 8, 2016

Ms. Nancy Parr, EH&S License Manager
Westinghouse Electric Company, LLC
Nuclear Fuel Division
5801 Bluff Road
Hopkins, SC 29061-9121

SUBJECT: APPROVAL OF REQUEST TO WITHHOLD THE REVISED DECOMMISSIONING
FUNDING PLAN FROM PUBLIC DISCLOSURE

Dear Ms. Parr:

By letter dated May 12, 2016 (LTR-RAC-16-32) the Westinghouse Electric Company, LLC (Westinghouse) submitted a revision to the June 5, 2016, Decommissioning Funding Plan (DFP). Westinghouse requested that the revised DFP be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390. An affidavit stated that the DFP should be considered exempt from mandatory public disclosure for the following reasons:

- The information has been held in confidence by Westinghouse;
- The information is of a type customarily held in confidence by Westinghouse and, except for voluntarily submitted information, whether there is a rational basis;
- The information was transmitted to and received by the U.S. Nuclear Regulatory Commission (NRC) in confidence;
- The information reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers; and
- Public disclosure of the information sought to be withheld is likely to cause substantial harm to the competitive position of Westinghouse, taking into account the value of the information to Westinghouse; the amount of effort or money, if any, expended by Westinghouse in developing the information; and the ease or difficulty with which the information could be properly acquired or duplicated by others.

The staff at the NRC reviewed the application submittal in accordance with the requirements of 10 CFR 2.390. On the basis of statements therein, the NRC staff has determined that the DFP contains proprietary, and commercial information. Public disclosure of the DFP is likely to cause harm to the competitive position of Westinghouse both because Westinghouse expended considerable resources to develop the cost information and DFP reveals cost or price information, production capacities, and budget levels. Such information is throughout the DFP.

Therefore, the entire DFP will be withheld from the public disclosure pursuant to 10 CFR 2.390(b) 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 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 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.

In accordance with 10 CFR, 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC web site at: <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions regarding this matter, please contact me at (301) 415-8729, or via e-mail at: Christopher.Ryder@nrc.gov.

Sincerely,

/RA/

Christopher Ryder, Licensing Project Manager
Fuel Manufacturing Branch
Division of Fuel Cycle Safety, Safeguards
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 70-1151
License Nos.: SNM-1107

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Christopher Ryder, Licensing Project Manager
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Office of Nuclear Material Safety
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Docket Nos.: 70-1151
License Nos.: SNM-110

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DATE	06/07/2016	06/07/2016	06/08/2016	06/08/2016

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