



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February, 7 2019

James Powers
Vice President, Nuclear Island & Business Development
Toshiba America Energy Systems Corporation
3545 Whitehall Park Drive
Suite 500
Charlotte, NC 28273

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
OF SUBMITTAL OF THE DOCUMENTS RELATED TO TOSHIBA LETTER
DATED NOVEMBER 9, 2018 (EPID: L-2012-TOP-0003)

Dear Mr. Powers:

By letter dated November 9, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18319A305), Toshiba Corporation submitted an affidavit also dated November 9, 2018, by Hirofumi Takeda, Senior Manager, Electrical System Design & Engineering Department. The affidavit requested that the information contained in the enclosure be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations*, Section 2.390 (10 CFR 2.390).

Nonproprietary copies of those documents have been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS Package Accession No. ML18320A026.

The detailed reasons for withholding the information are listed in the affidavit.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390. On the basis of the statements in the affidavits, the NRC staff has 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 document. 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

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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 301-415-7297 or by electronic mail at Joseph.Holonich@nrc.gov.

Sincerely,

/RA/

Joseph J. Holonich, Senior Project Manager
Licensing Processes Branch
Division of Licensing Projects
Office of Nuclear Reactor Regulation

Enclosure: As stated

Docket No. 99902036

Proprietary Documents in Toshiba November 9, 2018, Letter

E2-2017-000812 Rev. 1, Toshiba response to RAB (Proprietary version)

FPG-TRT-C51-0101, Rev. 3, Qualification Test Summary Report (Proprietary version)

UTLR-0020P Part II, Rev. 4, Licensing Topical Report for Toshiba NRW-FPGA based Instrumentation and Control System for Safety-Related Application (Proprietary version)

UTLR-0020P Part III, Rev. 3, Licensing Topical Report for Toshiba NRW-FPGA based Instrumentation and Control System for Safety-Related Application (Proprietary version)

UTLR-0020P Part IV, Rev. 3, Licensing Topical Report for Toshiba NRW-FPGA based Instrumentation and Control System for Safety-Related Application (Proprietary version)

FPG-RQS-C51-0001, Rev. 8, Equipment Requirement Specification (Proprietary version)

FC51-3002-1000, Rev. 6, Equipment Design Specification (Proprietary version)

FC51-7012-1000, Rev. 3, Equipment Qualification Test Plan (Proprietary version)

FPG-PLN-C51-0005, Rev. 5, Master Test Plan (Proprietary version)

FPG-TRT-C51-0002, Rev. 1, Availability/Reliability Analysis Report (for PRM) (Proprietary version)

FC51-3809-1000, Rev. 2, Availability/Reliability Analysis Report (for OPRM) (Proprietary version)

Enclosure

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NRR-106

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