



52-003

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

October 1, 1996

Mr. Brian A. McIntyre, Manager  
Advanced Plant Safety and Licensing  
Westinghouse Electric Corporation  
Energy Systems Business Unit  
P.O. Box 355  
Pittsburgh, Pennsylvania 15230-0355

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR  
WESTINGHOUSE AP600 DESIGN LETTER OF SEPTEMBER 11, 1996

Dear Mr. McIntyre:

By Westinghouse letter NTD-NRC-96-4819, dated September 11, 1996, you submitted drawings related to the staff review for the in-containment refueling water storage tank vent design and hydrogen igniter locations. You requested that certain drawings be withheld from public disclosure which were identified in the letter. This request was made in accordance with 10 CFR 2.790 and is supported by affidavit (AW-96-1008), dated September 12, 1996, which claims, in part, that the information is classified as proprietary because "The development of the technology described in part by the information is the result of applying the results of many years of experience in an intensive Westinghouse effort and the expenditure of a considerable sum of money." In addition, the affidavit identifies 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.
- 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 submittal and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of Westinghouse's statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information. Therefore, the information that you identified as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended. A copy of the subject information identified as nonproprietary has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room.

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.

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Mr. Brian A. McIntyre

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October 1, 1996

If the basis for withholding this information from public disclosure 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 if, for example, the scope of a Freedom of Information Act request included your information. In all review situations, if the NRC needs additional information from you or makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,

original signed by:

Joseph M. Sebrosky, Project Manager  
Standardization Project Directorate  
Division of Reactor Program Management  
Office of Nuclear Reactor Regulation

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cc: See next page

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Mr. Brian A. McIntyre  
Westinghouse Electric Corporation

Docket No. 52-003  
AP600

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