



52-003

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

January 21, 1997

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

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR
WESTINGHOUSE AP600 DESIGN LETTER OF SEPTEMBER 30, 1996

Dear Mr. McIntyre:

By Westinghouse letter NSD-NRC-96-4828, dated September 30, 1996, you submitted WCAP-14729, "AP600 MAAP4 Parameter File and Input Deck for Probabilistic Risk Assessment." A non-proprietary version was also submitted.

In the letter, you stated that information in WCAP-14729 was considered proprietary and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. The attached affidavit (AW-96-1016), executed by you on September 30, 1996, states that this information should be considered exempt from mandatory public disclosure for several reasons including the following:

- 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, we have determined that the proprietary material enclosed in NSD-NRC-96-4828, which is marked 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.

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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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A PDR

Mr. Brian A. McIntyre

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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 Nuclear Regulatory Commission (NRC). You should also understand that 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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