



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 19, 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 OCTOBER 21, 1996

Dear Mr. McIntyre:

By Westinghouse letter NSD-NRC-96-4855, dated October 21, 1996, you submitted WCAP-14761, "AP600 Reactor Internals Flow-Induced Vibration Assessment Program." A non-proprietary version was also submitted.

In your letter, you identified the information which you consider proprietary information and requested that it be withheld from public disclosure in accordance with 10 CFR 2.790. The attached affidavit (AW-96-1025), executed by you on October 23, 1996, states that the designated information, owned and held in confidence by Westinghouse, should be considered exempt from mandatory public disclosure for the following reasons:

- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- (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, of licensing a similar product.

We have reviewed your submittal and the material in accordance with 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 information. The staff noted that for the figure on page 58 the reasons given for exemption were b, c, and g. However, an explanation of reason "g" was not provided in the affidavit. After review, the staff concluded that reasons b and c were adequate justification for exemption.

Therefore, we have determined that the proprietary material enclosed in NSD-NRC-96-4855, 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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Mr. Brian A. McIntyre

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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.

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 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 withheld 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.

Sincerely,

original signed by:

Diane T. Jackson, Project Manager
Standardization Project Directorate
Division of Reactor Program Management
Office of Nuclear Reactor Regulation

Docket No. 52-003

cc: See next page

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Mr. Brian A. McIntyre
Westinghouse Electric Corporation

Docket No. 52-003
AP600

cc: Mr. Nicholas J. Liparulo
Nuclear Safety and Regulatory Analysis
Nuclear and Advanced Technology Division
Westinghouse Electric Corporation
P.O. Box 355
Pittsburgh, PA 15230

Mr. Ronald Simard, Director
Advanced Reactor Programs
Nuclear Energy Institute
1776 Eye Street, N.W.
Suite 300
Washington, DC 20006-3706

Mr. John C. Butler
Advanced Plant Safety & Licensing
Westinghouse Electric Corporation
Energy Systems Business Unit
Box 355
Pittsburgh, PA 15230

Ms. Lynn Connor
Doc-Search Associates
Post Office Box 34
Cabin John, MD 20818

Mr. M. D. Beaumont
Nuclear and Advanced Technology Division
Westinghouse Electric Corporation
One Montrose Metro
11921 Rockville Pike
Suite 350
Rockville, MD 20852

Mr. James E. Quinn, Projects Manager
LMR and SBWR Programs
GE Nuclear Energy
175 Curtner Avenue, M/C 165
San Jose, CA 95125

Mr. Sterling Franks
U.S. Department of Energy
NE-42
Washington, DC 20585

Mr. John E. Leatherman, Manager
SBWR Design Certification
GE Nuclear Energy, M/C 781
San Jose, CA 95125

Mr. S. M. Modro
Nuclear Systems Analysis Technologies
Lockheed Idaho Technologies Company
Post Office Box 1625
Idaho Falls, ID 83415

Barton Z. Cowan, Esq.
Eckert Seamans Cherin & Mellott
600 Grant Street 42nd Floor
Pittsburgh, PA 15219

Mr. Frank A. Ross
U.S. Department of Energy, NE-42
Office of LWR Safety and Technology
19901 Germantown Road
Germantown, MD 20874

Mr. Ed Rodwell, Manager
PWR Design Certification
Electric Power Research Institute
3412 Hillview Avenue
Palo Alto, CA 94303

Mr. Charles Thompson, Nuclear Engineer
AP600 Certification
U.S. Department of Energy
NE-451
Washington, DC 20585