



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 23, 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: RETURN OF PROPRIETARY MATERIAL TO WESTINGHOUSE DOCKETED UNDER THE
AP600 DESIGN REVIEW

Dear Mr. McIntyre:

By Westinghouse letter NSD-NRC-96-4893, dated November 27, 1996, you submitted draft Westinghouse Report 1010-S3R-001 Revision 0, entitled, "Design Approach and Summary Report Nuclear Island Basemat." This report, considered proprietary by Westinghouse, was submitted in a draft form to facilitate planning for a design review meeting. This meeting was held December 9 through 13, 1996, in Monroeville, PA. By Westinghouse letter, NSD-NRC-96-4915, dated December 16, 1996, you requested the return of this document.

The reasons you cited for recalling this proprietary material were that the document was provided for planning purposes and it was not a means to provide design and analysis information that would be required to complete the staff's safety evaluation. Additionally, you state that any information required by the staff would be incorporated in to the standard safety analysis report or provided in a written response. The NRC technical review staff performed an assessment of the document to ensure that it is not relied on to support its safety determination relative to the AP600 review.

During previous discussions and a meeting with your staff, we were told that documents submitted in support of the AP600 application are subject to the retention requirements of 10 CFR Part 50, Appendix A, Criterion 1, and will be retained for the lifetime of the application. Based on your assurances that retracted documents will be retained at Westinghouse, we are satisfied that an adequate mechanism exists for NRC retrieval and inspection of these documents, if required. We request that you provide written confirmation within 30 days of receipt of this letter that this document will be permanently retained by Westinghouse.

As a result of these efforts, we have determined that because the material in NSD-NRC-96-4893 was considered preliminary, that its use was for the preparation of the meeting, and it was not relied upon by the staff for any safety determination, the proprietary material can be removed from the Westinghouse docket files and returned to you.

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NRC FILE CENTER COPY

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A PDR

Mr. Brian A. McIntyre

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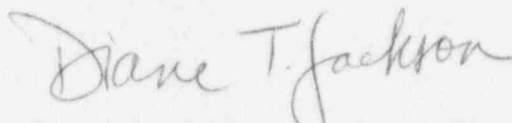
April 23, 1997

In accordance with your request, the staff has removed the following proprietary document from the AP600 docket file and is returning it to Westinghouse for your disposition:

DESIGN APPROACH AND SUMMARY REPORT NUCLEAR ISLAND BASEMAT (Draft Report 1010-S3R-001 Revision 0, dated November 1996) Enclosure to Westinghouse letter NTD-NRC-96-4893, dated November 27, 1996.

The original document contained in the docket file is being returned. NRC staff, contractors, or other parties who received internal NRC distribution have been notified to destroy their copies. The staff notes that the forwarding letter and affidavit associated with the retracted material, which has been placed in the Public Document Room, will remain on the docket.

Sincerely,



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

Docket No. 52-003

Enclosure: As stated

cc w/o enclosure:
See next page

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*See previous concurrence

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Mr. Nicholas J. Liparulo
Westinghouse Electric Corporation

Docket No. 52-003
AP600

cc: Mr. B. A. McIntyre
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