



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

June 3, 1997

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

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION (RAI) FROM PUBLIC DISCLOSURE FOR
WESTINGHOUSE AP600 DESIGN LETTER OF OCTOBER 30, 1996

Dear Mr. McIntyre:

By Westinghouse letter NSD-NRC-96-4872, dated October 30, 1996, you submitted information in response to several of the staff's RAIs regarding the WGOthic computer code. You stated that proprietary and non-proprietary versions of the material were provided.

In your letter, you identify the information that is considered to be proprietary and request that it be withheld from public disclosure in accordance with 10 CFR 2.790. The enclosed affidavit (AW-96-1031), executed by you on November 1, 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:

- (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.
- (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.

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 some of the submitted information sought to be withheld contains trade secrets or proprietary commercial information. However, you did not submit a complete non-proprietary version of the proprietary material in your non-proprietary submittal. You removed the pages that you consider proprietary without indicating in the non-proprietary version that the pages were missing. Additionally, figure and axis titles are usually not considered proprietary information. Provided below is a list of figures and the table that you failed to include in your non-proprietary version. Enclosed is the staff's determination of the information in your letter that the staff considers non-proprietary.

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In accordance with 10 CFR 2.790(c), this expurgated copy is being forwarded to you as notice that the enclosure will be placed in the Nuclear Regulatory Commission (NRC) Public Document Room thirty (30) days from the date of this letter. If within thirty (30) days of this letter, you request withdrawal of these documents in accordance with 10 CFR Section 2.790(c), or provide additional reasons for the withholding of information not already expunged from the documents enclosed, your request will be considered in light of applicable statutes and regulations and a determination made whether the documents will be withheld from public disclosure or returned to you.

The figures and table included in the proprietary submittal that require a non-proprietary version:

- 1) Response to RAI 480.346, Page 480.346-3; Table 1, "Preliminary and Final Data for Baseline Tests."
- 2) Response to RAI 480.392, Page 480.392-3; Figure 480.392-1, "Measured and Distributed Parameter Predicted Air Pressure Ratios for Test 212.1A."
- 3) Response to RAI 480.392, Page 480.392-4; Figure 480.392-2, "Measured and Distributed Parameter Predicted Air Pressure Ratios for Test 212.1B."
- 4) Response to RAI 480.392, Page 480.392-5; Figure 480.392-3, "Measured and Distributed Parameter Predicted Air Pressure Ratios for Test 212.1C."
- 5) Response to RAI 480.392, Page 480.392-6; Figure 480.392-4, "Measured and Distributed Parameter Predicted Air Pressure Ratios for Test 216.1A."
- 6) Response to RAI 480.392, Page 480.392-7; Figure 480.392-5, "Measured and Distributed Parameter Predicted Air Pressure Ratios for Test 216.1B."
- 7) Response to RAI 480.392, Page 480.392-8; Figure 480.392-6, "Measured and Distributed Predicted Non-Condensable Pressure Ratios for Test 219.1B."
- 8) Response to RAI 480.392, Page 480.392-9; Figure 480.392-7, "Measured and Distributed Predicted Non-Condensable Pressure Ratios for Test 219.1B."
- 9) Response to RAI 480.392, Page 480.392-10; Figure 480.392-8, "Measured and Distributed Predicted Non-Condensable Pressure Ratios for Test 219.1C."
- 10) Response to RAI 480.392, Page 480.392-11; Figure 480.392-9, "Measured and Distributed Parameter Predicted Air Pressure Ratios for Test 221.1."
- 11) Response to RAI 480.394, Page 480.394-2; Figure 480.394-1, "Measured, Lumped Parameter and Distributed Parameter Vessel Pressure."
- 12) Response to RAI 480.394, Page 480.394-3; Figure 480.394-2, "LST Lumped Parameter Predicted Versus Measured Steady-State Vessel Pressure."

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- 13) Response to RAI 480.394, Page 480.394-43; Figure 480.394-32, "LST Distributed Parameter Predicted Vs. Measured Steady-State Vessel Pressure."

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 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

Enclosure: As stated

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Mr. Brian A. McIntyre
Westinghouse Electric Corporation

Docket No. 52-003
AP600

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