

October 3, 2007

Mr. Ronnie L. Gardner
AREVA NP Inc.
3315 Old Forest Road
P.O. Box 10935
Lynchburg, VA 24506-0935

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
REGARDING AREVA RESPONSE TO QUESTIONS REGARDING THE
S-RELAP5 INPUT DECK FOR THE U.S. EPR

Dear Mr. Gardner:

By letter dated August 17, 2007, and associated affidavit executed by Jerold S. Holm on August 16, 2007, you submitted a proprietary Attachment 1, (ADAMS Accession Number ML072340549), which are your responses to our "Request for Additional Information for the S-RELAP5 Input Deck for the U.S. EPR" submitted via electronic-mail by the NRC (ADAMS Accession Number ML072390472) on June 22, 2007. You requested that this document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. You indicated that you considered the information contained in this document to be proprietary in its entirety thus you did not provide non-proprietary version.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (1) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (2) The information reveals certain distinguishing aspects of a process, methodology or component, the exclusive use of which provides a competitive advantage for AREVA NP in product optimization or marketability.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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

R. Gardner

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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 inspection should change in the future, such that the information could then be made available for public inspection, you should promptly notify the NRC. You also 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 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.

If you have any questions regarding this matter, I may be reached at 301-415-3361.

Sincerely,

/RA/

Getachew Tesfaye, Project Manager
EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Project No. 733

cc: D.C. Areva -EPR Mailing List

R. Gardner

-2-

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EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Project No. 733

cc: D.C. Areva -EPR Mailing List

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