



Westinghouse Electric Company
 Nuclear Services Business Unit
 CE Nuclear Engineering

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 USA

LD-2000-0033
 June 5, 2000

Document Control Desk
 U.S. Nuclear Regulatory Commission
 Washington, D.C. 20555-0001

ATTN: Chief, Information Management Branch, Division of Inspection and Support Programs

Subject: Submittal of Revised Common Qualified Platform Documentation (Topical Report, Topical Report Appendices, and Software Program Manual)

- References:
1. Letter LD-99-015, I. Rickard to NRC, March 4, 1999
 2. Letter LD-99-027, I. Rickard to NRC, May 10, 1999
 3. Letter LD-99-030, I. Rickard to NRC, June 2, 1999
 4. Letter LD-99-042, I. Rickard to NRC, July 15, 1999
 5. Letter LD-99-040, I. Rickard to NRC, July 2, 1999

Gentlemen:

This letter submits revised Common Qualified Platform documentation as described more fully below.

Reference 1 transmitted topical report CENPD-396-P, Rev. 00, "Common Qualified Platform," and CE-CES-195-P, Rev. 00, "Software Program Manual for Common Q Systems." References 2 through 5 transmitted, respectively, Appendices 1 through 4 to CENPD-396-P, Rev. 00. During NRC review of these documents, information was developed to respond to NRC requests for additional information, and certain hardware configuration changes that have been discussed with the staff were incorporated into the Common Qualified Platform design. Accordingly, CE Nuclear Power LLC (CENP) has revised these documents, and is submitting them herewith as follows:

1. CENPD-396-P, Rev. 01, "Common Qualified Platform," May 2000 (proprietary, 15 copies) and CENPD-396-NP, Rev. 01 (non-proprietary, 12 copies).
2. CE-CES-195, Rev. 01, "Software Program Manual for Common Q Systems," May 2000 (non-proprietary, 12 copies). This manual is referenced in CENPD-396-P, Rev. 01, and is provided to support NRC's review of that report.
3. CENPD-396-P, Appendix 1, Rev. 01, "Common Qualified Platform, Post Accident Monitoring System," May 2000 (proprietary, 15 copies) and CENPD-396-NP, Appendix 1, Rev. 01 (non-proprietary, 12 copies).

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Software Program Manual
CENPD-396-NP-Rev 01
Appendix 1 - Rev 01
Appendix 2 - Rev 01
Appendix 3 - Rev 01
Appendix 4 - Rev 01


} 12 sets each

4. CENPD-396-P, Appendix 2, Rev. 01, "Common Qualified Platform, Core Protection Calculator System," May 2000 (proprietary, 15 copies) and CENPD-396-NP, Appendix 2, Rev. 01 (non-proprietary, 12 copies).
5. CENPD-396-P, Appendix 3, Rev. 01, "Common Qualified Platform, Digital Plant Protection System," May 2000 (proprietary, 15 copies) and CENPD-396-NP, Appendix 3, Rev. 01 (non-proprietary, 12 copies).
6. CENPD-396-P, Appendix 4, Rev. 01, "Common Qualified Platform, Integrated Solution," May 2000 (proprietary, 15 copies) and CENPD-396-NP, Appendix 4, Rev. 01 (non-proprietary, 12 copies).

The following documents contain proprietary information, and CENP requests that they be withheld from public disclosure in accordance with the provisions of 10 CFR 2.790 and that they be appropriately safeguarded: CENPD-396-P, Rev. 01; CENPD-396-P, Appendix 1, Rev. 01; CENPD-396-P, Appendix 2, Rev. 01; CENPD-396-P, Appendix 3, Rev. 01; and, CENPD-396-P, Appendix 4, Rev. 01. The reasons for classifying this information proprietary are delineated in the enclosed affidavits.

Should you have questions concerning this matter, please do not hesitate to contact me or George Hess of my staff at (860) 285-5218.

Very truly yours,
CE Nuclear Power LLC



I. C. Rickard
Director, Nuclear Licensing

cc: J. Cushing (NRC, letter only)
K. Mortensen, (NRC, letter only)

AFFIDAVIT PURSUANT

TO 10 CFR 2.790

I, I.C. Rickard, depose and say that I am the Director, Nuclear Licensing, of CE Nuclear Power LLC (CENP), duly authorized to make this affidavit, and have reviewed or caused to have reviewed the information which is identified as proprietary and referenced in the paragraph immediately below. I am submitting this affidavit in conformance with the provisions of 10 CFR 2.790 of the Commission's regulations.

The information for which proprietary treatment is sought is contained in the following document:

CENPD-396-P, Revision 01, "Common Qualified Platform," May 2000

This document has been appropriately designated as proprietary.

I have personal knowledge of the criteria and procedures utilized by CENP in designating information as a trade secret, privileged or as confidential commercial or financial information.

Pursuant to the provisions of paragraph (b) (4) of Section 2.790 of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure, included in the above referenced document, should be withheld.

1. The information sought to be withheld from public disclosure, is owned and has been held in confidence by CENP. It consists of information concerning design details of the AC160 controller, configurations that use the controller, and requirements for the design and development process and the use of software in Common Q systems.
2. The information consists of test data or other similar data concerning a process, method or component, the application of which results in substantial competitive advantage to CENP.
3. The information is of a type customarily held in confidence by CENP and not customarily disclosed to the public. CENP has a rational basis for determining the

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1. The information sought to be withheld from public disclosure, is owned and has been held in confidence by CENP. It consists of information concerning the functional requirements and conceptual design of a Digital Plant Protection System based on common, qualified, Class 1E components (Common Qualified Platform).
2. The information consists of test data or other similar data concerning a process, method or component, the application of which results in a substantial competitive advantage to CENP.
3. The information is of a type customarily held in confidence by CENP and not customarily disclosed to the public. CENP has a rational basis for determining the

types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The details of the aforementioned system were provided to the Nuclear Regulatory Commission via letter DP-537 from F. M. Stern to Frank Schroeder dated December 2, 1974. This system was applied in determining that the subject document herein is proprietary.

4. The information is being transmitted to the Commission in confidence under the provisions of 10 CFR 2.790 with the understanding that it is to be received in confidence by the Commission.
5. The information, to the best of my knowledge and belief, is not available in public sources, and any disclosure to third parties has been made pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence.
6. Public disclosure of the information is likely to cause substantial harm to the competitive position of CENP because:
 - a. A similar product is manufactured and sold by major competitors of CENP.
 - b. Development of this information by CENP required millions of dollars and thousands of manhours of effort. A competitor would have to undergo similar expense in generating equivalent information.
 - c. In order to acquire such information, a competitor would also require considerable time and inconvenience to develop an equivalent set of functional requirements and conceptual design of a Digital Plant Protection System based on Common Qualified Platform components.
 - d. The information describes the functional requirements and conceptual design of a Digital Plant Protection System based on Common Qualified Platform components, the application of which provides a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with CENP, take marketing or other actions to improve their product's position or impair the position of

3. The information is of a type customarily held in confidence by CENP and not customarily disclosed to the public. CENP has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The details of the aforementioned system were provided to the Nuclear Regulatory Commission via letter DP-537 from F. M. Stern to Frank Schroeder dated December 2, 1974. This system was applied in determining that the subject document herein is proprietary.
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 - a. A similar product is manufactured and sold by major pressurized water reactor competitors of CENP.
 - b. Development of this information by CENP required millions of dollars and thousands of manhours of effort. A competitor would have to undergo similar expense in generating equivalent information.
 - c. In order to acquire such information, a competitor would also require considerable time and inconvenience to develop an equivalent nuclear safety related Instrumentation and Control platform.
 - d. The information consists of design details of the AC160 controller, configurations that use the controller, and requirements for the design and development process and the use of software in Common Q systems, the application of which provides a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with CENP, take marketing or other actions to


CENP's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.

- e. In pricing CENP's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of CENP's competitors to utilize such information without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.
- f. Use of the information by competitors in the international marketplace would increase their ability to market nuclear steam supply systems, nuclear fuel, analyses, or other support services by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on CENP's potential for obtaining or maintaining foreign licensees.

Further the deponent sayeth not.


 I.C. Rickard, Director
 Nuclear Licensing

Sworn to before me
 this 2nd day of June, 2000



 Notary Public

My commission expires: 8/31/04

AFFIDAVIT PURSUANT

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The information for which proprietary treatment is sought is contained in the following document:

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Further the deponent sayeth not.


 W.C. Rickard, Director
 Nuclear Licensing

Sworn to before me
 this 2nd day of June, 2000



 Notary Public

My commission expires: 8/31/04

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Further the deponent sayeth not.



C. Rickard, Director
Nuclear Licensing

Sworn to before me
this 2nd day of June, 2000

Laurie J. White
Notary Public

My commission expires: 8/31/04

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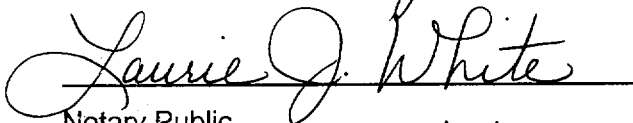
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 I.C. Riekard, Director
 Nuclear Licensing

Sworn to before me
 this 2nd day of June, 2000


 Notary Public
 My commission expires: 8/31/04


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