



Westinghouse Electric Company
CE Nuclear Power LLC

2000 Day Hill Road
Windsor, CT USA 06095

June 20, 2000
LD-2000-0038

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-0001

Subject: Submittal of Reference Documents for CENPD-396-P, "Common Q Platform" (*Contains Proprietary Information*)

Reference: Letter, I. C. Rickard to U.S. NRC, Topical Report CENPD-396-P, Rev 00, Common Qualified Platform, February 1999, LD-99-015, March 4, 1999

C-E Nuclear Power (CENP) submitted proprietary Topical Report CENPD-396-P for NRC review and approval via the Reference letter. This letter formally submits two copies of the ABB Automation reference documents listed on Attachment 1; these documents were used by the staff during the review of CENPD-396-P.

Information contained in these reference documents has been determined by CENP to be confidential or proprietary in nature. It is requested that this information be withheld from public disclosure in accordance with the provisions of 10 CFR 2.790 and be appropriately safeguarded. The reasons for the classification of this information as proprietary are delineated in the affidavit enclosed as Attachment 2.

Please feel free to contact Virgil Paggen of my staff at 860-285-4700 or me if you have any questions.

Sincerely,

Ian C. Rickard, Director
Nuclear Licensing

Enclosures: As Stated
cc w/2 copies: J. S. Cushing (OWFN, 4D-7)
cc w/o: P. H. Collette
M. J. Stofko

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Reference Documents

1. Seismic Qualification Test Report for Module Equipment Qualification for Common Q Applications, 2008677-IC-TR560-10, Rev. 00, September 24, 1999
2. Environmental Test Report for Module Equipment Qualification for Common Q Applications, 2008677-IC-TR560-11, Rev. 00, September 24, 1999
3. EMI Qualification Test Report for Module Equipment Qualification for Common Q Applications, 2008677-IC-TR560-12, Rev. 00, October 8, 1999
4. Generic Operating History Evaluation Report on Previously-Developed Software in ABB AC160, I/O Modules and Tool Software, GWK F 700 778, Rev. 01, February 18, 2000
5. Design and Life Cycle Evaluation Report on Previously-Developed Software in ABB AC160, I/O Modules and Tools, GKW F 700 777, Rev. 02, February 22, 2000
6. Commercial Grade Dedication Report for the QNX Operating System for Common Q Applications, 00000-ICE-37722, Rev. 00, November 11, 1999

These Documents contain Confidential or Proprietary Information

Attachment 2 – Proprietary Affidavit

I, Ian C. Rickard, depose and say that I am the Director, Nuclear Licensing, of C-E 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 described below.

I am submitting this affidavit in conformance with the provisions of 10 CFR 2.790 of the Commission's regulations for withholding this information. 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.

The information for which proprietary treatment is sought, and which documents have been appropriately designated as proprietary, is contained in the following:

1. *Seismic Qualification Test Report for Module Equipment Qualification for Common Q Applications, 2008677-IC-TR560-10, Rev. 00, September 24, 1999*
2. *Environmental Test Report for Module Equipment Qualification for Common Q Applications, 2008677-IC-TR560-11, Rev. 00, September 24, 1999*
3. *EMI Qualification Test Report for Module Equipment Qualification for Common Q Applications, 2008677-IC-TR560-12, Rev. 00, October 8, 1999*
4. *Generic Operating History Evaluation Report on Previously-Developed Software in ABB AC160, I/O Modules and Tool Software, GWK F 700 778, Rev. 01, February 18, 2000*
5. *Design and Life Cycle Evaluation Report on Previously Developed Software in ABB AC160, I/O Modules and Tools, GWK F 700 777, Rev. 2, February 22, 2000*
6. *Commercial Grade Dedication Report for the QNX Operating System for Common Q Applications, 00000-ICE-37722, Rev 00, November 11, 1999*

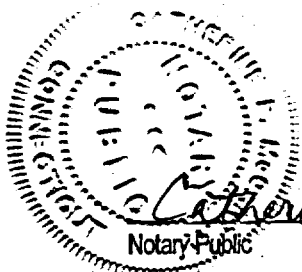
Pursuant to the provisions of Section 2.790(b)(4) of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information included in the documents listed above should be withheld from public disclosure.

- i. The information sought to be withheld from public disclosure is owned and has been held in confidence by CENP. It consists of information concerning qualification and evaluation details for modules and software involving the AC160 controller, configurations that use the controller, and requirements for the design and development process and the use of software in Common Q applications.
- ii. The information consists of test data or other similar data for the design and development process, and the use of software in Common Q systems, the application of which results in substantial competitive advantage to CENP.
- iii. The information is of a type customarily held in confidence by CENP and not customarily disclosed to the public.
- iv. 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.
- v. 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 that provide for maintenance of the information in confidence.


Attachment 2 – Proprietary Affidavit

- vi. Public disclosure of the information is likely to cause substantial harm to the competitive position of CENP because:
- A similar product is manufactured and sold by major competitors of CENP.
 - 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.
 - The information consists of technical data and qualification information for 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 design their product to better compete with CENP, take marketing or other actions to improve their product's position or impair the position of CENP's product, and avoid developing similar technical analysis in support of their processes, methods or apparatus.
 - 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.
 - Use of the information by competitors in the international marketplace would increase their ability to market instrumentation and control systems by reducing the costs associated with their technology development.

Sworn to before me this
20th day of June, 2000



My commission expires: 11/31/03


Ian C. Rickard
Director, Nuclear Licensing