



Westinghouse Electric Company LLC
Owners Group Project
Pittsburgh, Pennsylvania 15230-0355

Project No. 694
WOG-03-219
April 21, 2003

Domestic Members

AmerenUE
Callaway
American Electric Power Co.
D C Cook 1 & 2
Arizona Public Service Co.
Palo Verde 1, 2 & 3
Constellation Energy Group
Calvert Cliffs 1 & 2
Dominion Nuclear Connecticut
Millstone 2 & 3
Dominion Virginia Power
North Anna 1 & 2
Surry 1 & 2
Duke Energy
Catawba 1 & 2
McGuire 1 & 2
Entergy Nuclear Northeast
Indian Point 2 & 3
Entergy Nuclear South
ANO 2
Waterford 3
Exelon Generation Company LLC
Braidwood 1 & 2
Byron 1 & 2
FirstEnergy Nuclear Operating Co
Beaver Valley 1 & 2
FPL Group
St Lucie 1 & 2
Seabrook
Turkey Point 3 & 4
Nuclear Management Co
Kewaunee
Palisades
Point Beach 1 & 2
Prairie Island
Omaha Public Power District
Fort Calhoun
Pacific Gas & Electric Co.
Diablo Canyon 1 & 2
Progress Energy
H B Robinson 2
Shearon Hams
PSEG - Nuclear
Salem 1 & 2
Rochester Gas & Electric Co.
R E Ginna
South Carolina Electric & Gas Co
V C Summer
Southern California Edison
SONGS 2 & 3
STP Nuclear Operating Co
South Texas Project 1 & 2
Southern Nuclear Operating Co
J M Farley 1 & 2
A W Vogtle 1 & 2
Tennessee Valley Authority
Sequoyah 1 & 2
Watts Bar 1
TXU Electric
Commanche Peak 1 & 2
Wolf Creek Nuclear Operating Corp
Wolf Creek

International Members

Electrabel
Doel 1, 2, 4
Tihange 1 & 3
Electricité de France
Kansai Electric Power Co
Mihama 1
Takahama 1
Ohi 1 & 2
Korea Hydro & Nuclear Power Co
Kori 1 - 4
Ulchin 3 & 4
Yonggwang 1 - 5
British Energy plc
Sizewell B
NEK
Krško
Spanish Utilities
Asco 1 & 2
Vandellós 2
Almaraz 1 & 2
Ringhals AB
Ringhals 2 - 4
Taiwan Power Co
Maanshan 1 & 2

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

Attn: Chief, Information Management Branch
Division of Program Management

Subject: Transmittal of Report WCAP-15830-P, Rev 00 (Proprietary) and WCAP-15830-NP, Rev 00 (Non-Proprietary), "Staggered Integrated ESF Testing," dated March 2003.

Transmitted herewith are four (4) proprietary and two (2) non-proprietary copies of the subject topical report. The Westinghouse Owners Group is submitting WCAP-15830-P, Rev.00 under the NRC licensing topical report program for review and acceptance for referencing in licensing actions.

WCAP-15830 provides a risk-based justification using the guidance of Regulatory Guide 1.174 to extend the Surveillance Frequency for the integrated engineered safety feature (ESF) test from once per refueling interval on a sequential basis to once per refueling on a staggered basis, as was discussed during a meeting with the staff on April 10, 2001. This report demonstrates that performing integrated ESF testing on a staggered basis produces a negligible change in plant risk. The objective is that, once approved, member utilities may reference this report as a basis for performing integrated ESF testing on a staggered interval.

Changes to NUREG-1432, and justification for those changes as provided by WCAP-15830, support the Risk-Informed Technical Specification Task Force initiative regarding optimizing Surveillance Requirements. As required for topical reports that involve changes to NUREG-1432, a technical specification traveler, TSTF-450, has been prepared for staff approval of the Technical Specification and Bases changes justified by WCAP-15830.

10 CFR 170.11(a) states that no application fees, license fees, renewal fees, inspection fees, or special project fees shall be required for (1) a special project that is a request/report submitted to the NRC (iii) as a means of exchanging information between industry organizations and the NRC for the specific purpose of supporting the NRC's generic regulatory improvements or efforts. TSTF-450 and WCAP-15830 have been prepared to support a generic risk-informed improvement to the Surveillance Frequency as required by Technical Specifications, thus it is requested that the staff's review of this traveler and topical report in support of the Technical Specification changes be exempt from review fees.

D848

The WOG requests that the NRC review TSTF-450 and WCAP-15830 and issue a Safety Evaluation by February 28, 2004. This completion date is needed to support the planned implementation by the lead utility during their Spring 2004 refueling outage.

Consistent with the Office of Nuclear Reactor Regulation, Office Instruction LIC-500, "Processing Request for Reviews of Topical Reports," the WOG requests that the NRC document the acceptance of this report for review, confirm that review fees will be waived, establish a date for requesting any additional information, and advise of the planned date for issuance of the Safety Evaluation for WCAP-15830.

The information transmitted herewith bears a Westinghouse copyright notice. The NRC is permitted to make the number of copies of the information contained in these reports which are necessary for its internal use in connection with generic and plant-specific reviews and approvals as well as the issuance, denial, amendment, transfer, renewal, modification, suspension, revocation, or violation of a license, permit, order, or regulation subject to the requirements of 10 CFR 2.790 regarding restrictions on public disclosure to the extent such information has been identified as proprietary by Westinghouse, copyright protection notwithstanding. With respect to the non-proprietary version of this report, the NRC is permitted to make the number of copies beyond those necessary for its internal use which are necessary in order to have one copy available for public viewing in the appropriate docket files in the public document rooms as may be required by NRC regulations if the number of copies submitted is insufficient for this purpose. Copies made by the NRC must include the copyright notice in all instances and the proprietary notice if the original was identified as proprietary.

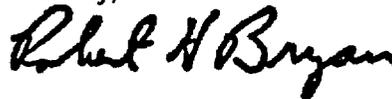
Report WCAP-15830-P, Rev 0 contains information proprietary to Westinghouse Electric Company and is, therefore, being transmitted with an affidavit signed by Westinghouse, the owner of the information. The enclosed affidavit, AW-03-1627, sets forth the basis on which the information should be withheld from public disclosure by the Commission and addresses with specificity the considerations listed in 10 CFR Section 2.790(b)(4) of the Commission's regulations. Accordingly, it is requested that the information identified as proprietary in this report be withheld from public disclosure.

Correspondence related to this transmittal should be addressed to:

Mr. Gordon Bischoff
Manager, Owners Group Program Management Office
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, Pennsylvania 15230-0355

Please do not hesitate to contact me at 423-751-8201 or Mr. Gordon Bischoff of the Owners Group Program Management Office at 412-374-6200 if you have any questions.

Sincerely,



Robert H. Bryan, Chairman
Westinghouse Owners Group

cc: D. B. Holland (NRC; 1L, 3-P, 1-NP copies)
WOG Management Committee (1L, 1R)
Owners Group Program Management Office (1L)
Outage Management Subcommittee (1L, 1R)
Licensing Subcommittee (1L)

Enclosure: Affidavit, AW-03-1627
WCAP-15830-P /NP as stated



Westinghouse Electric Company
Engineering Services
2000 Day Hill Road
Windsor, Connecticut 06095-0500
USA

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

Direct tel: (860) 731-6289
Direct fax: (860) 731-6238
e-mail: ian.c.rickard@us.westinghouse.com

Our ref. AW-03-1627

April 21, 2003

APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE

Subject: WCAP-15830-P, "Staggered Integrated ESF Testing" (Proprietary)

The proprietary information for which withholding is being requested in the subject report is further identified in Affidavit AW-03-1627 signed by Westinghouse Electric Company LLC, the owner of the proprietary information. The affidavit accompanying this letter sets forth the basis on which the information may be withheld from public disclosure by the Commission and addresses the considerations listed in paragraph (b)(4) of 10 CFR Section 2.790 of the Commission's regulations.

Correspondence with respect to the proprietary aspects of the application for withholding or the Westinghouse affidavit should reference this letter, AW-03-1627, and should be addressed to the undersigned.

Very truly yours,

A handwritten signature in cursive script that reads "George D. Hess for".

Ian C. Rickard, Licensing Project Manager
Regulatory Compliance and Plant Licensing

Enclosures

cc: D. B. Holland/NRR

bcc: H. A. Sepp (ECE 4-7A) 1L, 1A
R. Bastien, 1L, 1A (Nivelles, Belgium)
L. Ulloa (Madrid, Spain) 1L, 1A
C. Brinkman, 1L, 1A (Westinghouse Electric Co , 12300 Twinbrook Parkway, Suite 330, Rockville, MD 20852)
RC&PL Administrative Aide (ECE 4-7A) 1L, 1A

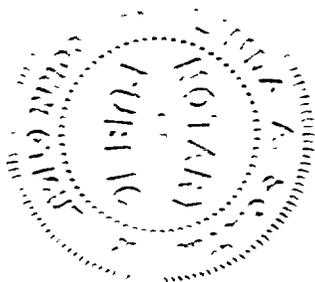
AFFIDAVIT

STATE OF CONNECTICUT:

SS: Town of Windsor

COUNTY OF HARTFORD:

Before me, the undersigned authority, personally appeared Norton L. Shapiro, who, being by me duly sworn according to law, deposes and says that he is authorized to execute this Affidavit on behalf of Westinghouse Electric Company LLC ("Westinghouse"), and that the averments of fact set forth in this Affidavit are true and correct to the best of his knowledge, information, and belief:



A handwritten signature in black ink that reads "Norton L. Shapiro".

Norton L. Shapiro
Advisory Engineer,
Westinghouse Electric Company LLC

Sworn to and subscribed before me
this 21st day of April 2003.

A handwritten signature in black ink that reads "Paul A. Scata".
Notary Public

My Commission expires:

A handwritten date in black ink that reads "May 31, 2003".

I, Norton L. Shapiro, depose and say that I am the Advisory Engineer of CE Engineering Technology, Westinghouse Electric Company LLC ("Westinghouse"), and as such, I have been specifically delegated the function of reviewing the proprietary information sought to be withheld from public disclosure in connection with nuclear power plant licensing and rule making proceedings, and am authorized to apply for its withholding on behalf of the Westinghouse Electric Company LLC.

I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.790 of the Commission's regulations and in conjunction with the Westinghouse application for withholding accompanying this Affidavit.

I have personal knowledge of the criteria and procedures utilized by the Westinghouse Electric Company LLC 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 should be withheld.

- (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.
- (ii) The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public. Westinghouse 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 application of that system and the substance of that system constitutes Westinghouse policy and provides the rational basis required.

Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:

- (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.

- (c) Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.
- (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
- (f) It contains patentable ideas, for which patent protection may be desirable.

There are sound policy reasons behind the Westinghouse system which include the following:

- (a) The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.
 - (b) It is information that is marketable in many ways. The extent to which such information is available to competitors diminishes the Westinghouse ability to sell products and services involving the use of the information.
 - (c) Use by our competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at our expense.
 - (d) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire puzzle, thereby depriving Westinghouse of a competitive advantage.
 - (e) Unrestricted disclosure would jeopardize the position of prominence of Westinghouse in the world market, and thereby give a market advantage to the competition of those countries.
 - (f) The Westinghouse capacity to invest corporate assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.
- (iii) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.790, it is to be received in confidence by the Commission.
- (iv) The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of our knowledge and belief.

- (v) The proprietary information sought to be withheld in this submittal is that which is appropriately marked in WCAP-15830-P, "Staggered Integrated ESF Testing" (Proprietary), dated March 2003. This information is being transmitted by letter from Mr. Robert H. Bryan, Chairman, Westinghouse Owners Group, and an Application for Withholding of Proprietary Information from Public Disclosure to the Document Control Desk.

This information is part of that which will enable Westinghouse to:

- (a) Describe the methodology developed to justify extending the surveillance test interval for certain engineered safety feature (ESF) equipment.
- (b) Describe the results obtained by the application of such methodology.

Further this information has substantial commercial value as follows:

- (a) Westinghouse plans to sell the use of similar information to its customers for purposes of meeting NRC requirements for licensing documentation and for implementing such staggered ESF testing at customer plants.
- (b) Westinghouse can sell support and defense of the staggered integrated ESF testing program.

Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to develop similar methodology and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

The development of the technology described in part by the information is the result of applying the results of many years of experience in an intensive Westinghouse effort and the expenditure of a considerable sum of money.

In order for competitors of Westinghouse to duplicate this information, similar technical programs would have to be performed and a significant manpower effort, having the requisite talent and experience, would have to be expended.

Further the deponent sayeth not.