



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 Harris
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
Comanche Peak 1 & 2
Wolf Creek Nuclear Operating Corp.
Wolf Creek

International Members

Electrabel
Doel 1, 2, 4
Thange 1 & 3
Electricité de France
Kansas 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
Vandellios 2
Almaraz 1 & 2
Ringhals AB
Ringhals 2 - 4
Taiwan Power Co.
Maanshan 1 &

WCAP-15831-P, Rev. 1
WCAP-15831-NP, Rev. 1
Project Number 694

September 14, 2004

WOG-04-466

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

Subject: Westinghouse Owners Group
Transmittal of WCAP-15831-P, Rev. 1 (Proprietary) and WCAP-15831-NP, Rev. 1, (Non-Proprietary), "WOG Risk-Informed ATWS Assessment and Licensing Implementation Process" (TAC No. MB5741) (MUHP-1034/PA-ASC-0151)

- Reference: 1. Transmittal of Reports: WCAP-15831-P, Rev. 0 (Proprietary) and WCAP-15831-NP, Rev. 0 (Non-Proprietary), Entitled "WOG Risk-Informed ATWS Assessment and Licensing Implementation Process", (MUHP-1033), OG-02-027, Dated July 23, 2002.
2. "WCAP-15831-P, "WOG Risk-Informed ATWS Assessment and Licensing Implementation Process," July 2002 - Withdrawal of Previous Request for Additional Information (RAI) and Request for Further Clarifications Needed to Revise the Topical Report", dated March 25, 2004.
3. "Response to Clarification Request - WCAP-15831-P 'WOG Risk Informed ATWS Assessment and Licensing Implementation Process'", WOG-04-257, dated May 17, 2004.

In July 2002, the WOG submitted WCAP-15831-P, Rev. 0 and WCAP-15831-NP, Rev. 0 for NRC review and approval (Reference 1). In March 2004, the NRC issued a Request for Further Clarifications concerning this WCAP (Reference 2). In May 2004, the WOG provided responses to this Request for Clarifications (Reference 3). During several NRC/WOG conference calls in June of 2004, three additional clarification requests were identified by the NRC. Enclosed are WCAP-15831-P, Rev. 1 (Proprietary) and WCAP-15831-NP, Rev. 1 (Non-Proprietary), which have been revised consistent with the responses to the clarification requests. Responses to the specific NRC clarification requests are also provided in Appendices G, H, and I

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of the WCAPs. Revision 1 of both the proprietary and non-proprietary versions of the WCAP supersedes WCAP-15831-P, Rev. 0 and WCAP-15831-NP, Rev. 0 in their entirety. Enclosure 1 to this letter contains the revised WCAPs.

In the June 2004 conference calls, the WOG indicated they would provide the revised WCAPs to the NRC by August 31, 2004. Based on this, the Staff indicated they could provide a draft Safety Evaluation to the WOG by December 31, 2004. Due to unforeseen circumstances, the WOG was not able to provide the revised WCAPs to the NRC on the proposed schedule and has submitted the revised WCAPs approximately two weeks late. The WOG requests that the NRC not delay issuing the draft Safety Evaluation by more than an equivalent time period.

Enclosed are:

1. 4 copies of WCAP-15831-P, Rev. 1, "WOG Risk-Informed ATWS Assessment and Licensing Implementation Process" (Proprietary)
2. 2 copies of WCAP-15831-NP, Rev. 1, "WOG Risk-Informed ATWS Assessment and Licensing Implementation Process" (Non-Proprietary)

Also enclosed is Westinghouse authorization letter CAW-04-1890 with accompanying affidavit, Proprietary Information Notice, and Copyright Notice.

As Item 1 contains information proprietary to Westinghouse Electric Company LLC, it is supported by an affidavit signed by Westinghouse, the owner of the information. The affidavit sets forth the basis on which the information may be withheld from public disclosure by the Commission and addresses with specificity the considerations listed in paragraph (b) (4) of Section 2.390 of the Commission's regulations.

Accordingly, it is respectfully requested that the information which is proprietary to Westinghouse be withheld from public disclosure in accordance with 10 CFR Section 2.390 of the Commission's regulations.

Correspondence with respect to the proprietary aspect of the Application for Withholding or the supporting Westinghouse affidavit should reference CAW-04-1890, as appropriate, and should be addressed to:

Mr. J. A. Gresham
Manager, Regulatory Compliance and Plant Licensing
Westinghouse Electric Company LLC
P. O. Box 355
Pittsburgh, PA 15230-0355

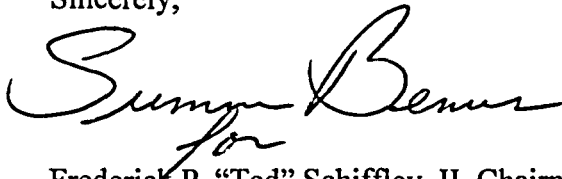
WOG-04-466
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All correspondence and invoices related to the review of WCAP-15831-P/NP, Rev. 1 should be addressed to:

Mr. Gordon Bischoff
Manager, Owners Group Program Management Office
Westinghouse Electric Company LLC
20 International Drive
Windsor, CT 06095

If you require further information, please contact Mr. Jim Molkenthin in the Westinghouse Owners Group Program Management Office at 860-731-6727.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ted Schiffley".

Frederick P. "Ted" Schiffley, II, Chairman
Westinghouse Owners Group

mjl

Enclosures

cc: C. B. Brinkman, Westinghouse, w/o enclosures
J. A. Gresham, Westinghouse, w/o enclosures
M. C. Janke, Westinghouse, w/ enclosures
C. M. Molnar, Westinghouse, w/ enclosures
E. J. Schulz, Westinghouse, w/ enclosures
G. Shukla, NRC, w/ enclosures (via Federal Express)
WOG Analysis Subcommittee
WOG Project Management Office
WOG Steering Committee



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

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Direct fax: (412) 374-4011
e-mail: greshaja@westinghouse.com

Attn: Chief, Information Management Branch
Division of Program Management
Policy Development and Analysis Staff

Our ref: CAW-04-1890

September 3, 2004

**APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE**

Subject: WCAP-15831-P, Rev. 1, "WOG Risk-Informed ATWS Assessment and Licensing Implementation Process" (Proprietary); WCAP-15831-NP, Rev. 1, "WOG Risk-Informed ATWS Assessment and Licensing Implementation Process" (Non-Proprietary)

The proprietary information for which withholding is being requested in the above-referenced report is further identified in Affidavit CAW-04-1890 signed by the owner of the proprietary information, Westinghouse Electric Company LLC. The affidavit, which accompanies this letter, sets forth the basis on which the information may be withheld from public disclosure by the Commission and addresses with specificity the considerations listed in paragraph (b)(4) of 10 CFR Section 2.390 of the Commission's regulations.

Accordingly, this letter authorizes the utilization of the accompanying affidavit by the Westinghouse Owners Group.

Correspondence with respect to the proprietary aspects of the application for withholding or the Westinghouse affidavit should reference this letter, CAW-04-1890, and should be addressed to J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing, Westinghouse Electric Company LLC, P.O. Box 355, Pittsburgh, Pennsylvania 15230-0355.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. A. Gresham'.

J. A. Gresham, Manager
Regulatory Compliance and Plant Licensing

Enclosures

cc: W. Macon, NRC
E. Peyton, NRC

bcc: J. A. Gresham (ECE 4-7A) 1L
R. Bastien, 1L (Nivelles, Belgium)
C. Brinkman, 1L (Westinghouse Electric Co., 12300 Twinbrook Parkway, Suite 330, Rockville, MD 20852)
RCPL Administrative Aide (ECE 4-7A) 1L, 1A (letter and affidavit only)

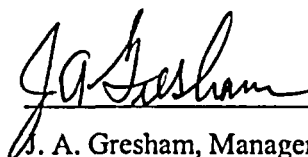
AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

SS

COUNTY OF ALLEGHENY:

Before me, the undersigned authority, personally appeared J. A. Gresham, 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:



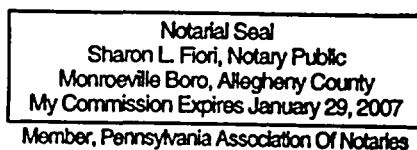
J. A. Gresham, Manager

Regulatory Compliance and Plant Licensing

Sworn to and subscribed
before me this 8th day
of September, 2004



Notary Public



- (1) I am Manager, Regulatory Compliance and Plant Licensing, in Nuclear Services, 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 Westinghouse.
- (2) I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.390 of the Commission's regulations and in conjunction with the Westinghouse "Application for Withholding" accompanying this Affidavit.
- (3) I have personal knowledge of the criteria and procedures utilized by Westinghouse in designating information as a trade secret, privileged or as confidential commercial or financial information.
- (4) Pursuant to the provisions of paragraph (b)(4) of Section 2.390 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 2.390, 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-15831-P, Rev. 1, "WOG Risk-Informed ATWS Assessment and Licensing Implementation Process" (Proprietary), September 2004, on behalf of the Westinghouse Owners Group by Westinghouse Electric Company, being transmitted by the Westinghouse Owners Group letter and Application for Withholding Proprietary Information from Public Disclosure, Mr. Frederick P. Schiffley, Chairman, Westinghouse Owners Group to the Document Control Desk. The proprietary information as submitted for use by the Westinghouse Owners Group is applicable to other licensee submittals.

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

- (a) Provide documentation of the response of reactor coolant system components to ATWS pressure conditions.
- (b) Provide documentation of the fault trees used in the program to assess reactor coolant system pressure relief availability.
- (c) Assist customers in the licensing and NRC approval of the plant design changes associated with this program.

Further this information has substantial commercial value as follows:

- (a) Westinghouse plans to sell these fault trees and the reactor coolant system pressure response assessment to support customer requests.
- (b) Westinghouse can sell support and defense of the technology to its customers in the licensing process.

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 provide similar calculation, evaluation, 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.

PROPRIETARY INFORMATION NOTICE

Transmitted herewith are proprietary and/or non-proprietary versions of documents furnished to the NRC in connection with requests for generic and/or plant-specific review and approval.

In order to conform to the requirements of 10 CFR 2.390 of the Commission's regulations concerning the protection of proprietary information so submitted to the NRC, the information which is proprietary in the proprietary versions is contained within brackets, and where the proprietary information has been deleted in the non-proprietary versions, only the brackets remain (the information that was contained within the brackets in the proprietary versions having been deleted). The justification for claiming the information so designated as proprietary is indicated in both versions by means of lower case letters (a) through (f) located as a superscript immediately following the brackets enclosing each item of information being identified as proprietary or in the margin opposite such information. These lower case letters refer to the types of information Westinghouse customarily holds in confidence identified in Sections (4)(ii)(a) through (4)(ii)(f) of the affidavit accompanying this transmittal pursuant to 10 CFR 2.390(b)(1).

COPYRIGHT NOTICE

The reports transmitted herewith each bear 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 2.390 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 versions of these reports, 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 room in Washington, DC and in local 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.