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Arizona Public Service Co.
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Calvert Cliffs 1 & 2
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Millstone 2 & 3
R. E. Ginna
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 1 & 2
Omaha Public Power District
Fort Calhoun
Pacific Gas & Electric Co.
Diablo Canyon 1 & 2
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H. B. Robinson 2
Shearon Harris
PSEG - Nuclear
Salem 1 & 2
South Carolina Electric & Gas Co.
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Southern California Edison
SONGS 2 & 3
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Sequoyah 1 & 2
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TXU Electric
Comanche Peak 1 & 2
Wolf Creek Nuclear Operating Corp.
Wolf Creek

International Members

Electrabel
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Tihange 1 & 3
Electricité de France
Kansas Electric Power Co.
Mihama 1
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Ohi 1 & 2
Korea Hydro & Nuclear Power Co.
Kori 1 - 4
Uchin 3 & 4
Yonggwang 1 - 5
British Energy plc
Sizewell B
NEK
Krško
Spanish Utilities
Asco 1 & 2
Vandellós 2
Almaraz 1 & 2
Ringshals AB
Ringshals 2 - 4
Taiwan Power Co.
Maanshan 1 &

WCAP-15973-NP-A, Rev. 0

Project Number 694

March 9, 2005

WOG-05-113

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

Subject: Westinghouse Owners Group
Transmittal of NRC-Approved Topical Report WCAP-15973-P-A (Proprietary) and WCAP-15973-NP-A, Rev 0, (Non-Proprietary) "Low-Alloy Steel Component Corrosion Analysis Supporting Small-Diameter Alloy 600/690 Nozzle Repair/Replacement Programs," (TAC MB6805) (Task 1170)

- Reference:** 1. Letter, H. Berkow (NRC) to G. Bischoff (WOG), "Final Safety Evaluation for Topical Report WCAP-15973-P, Revision 01, "Low-Alloy Steel Component Corrosion Analysis Supporting Small-Diameter Alloy 600/690 Nozzle Repair/Replacement Programs (TAC No. MB6805)" dated January 12, 2005.
2. Letter, J. Gresham (WEC) to NRC, Application for Withholding Proprietary Information, CAW-05-1966, dated March 9, 2005.

The purpose of this letter is to transmit four (4) proprietary and two (2) non-proprietary copies of WCAP-15973-P/NP-A for NRC files. This transmittal completes action on topical report WCAP-15973; thus, the WOG requests that TAC No. MB6805 be closed.

WCAP-15973-P/NP-A contains the staff's Safety Evaluation, resolution of comments on the draft Safety Evaluation, and historical review information as requested by Reference 1. Consistent with standard Westinghouse practice, replaced topical report pages are not compiled separately since they are typically integrated into the final report or into responses to the staff's questions.

Certain material in WCAP-15973-P-A contains information proprietary to Westinghouse Electric Company LLC, the owner of the information. 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. This request for withholding, Reference 2, is supported by an affidavit signed by Westinghouse which 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.

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

Sincerely,

A handwritten signature in black ink, appearing to read "F P Schiffley, II". The signature is fluid and cursive, with a long horizontal stroke at the beginning and a small flourish at the end.

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

FPS:JPM:las

Enclosure

cc: C. Brinkman, Westinghouse
J. Hall, Westinghouse
V. Paggen, Westinghouse
G. Shukla, NRC (3-P, 1-NP)
Steering Committee
Materials Subcommittee
Project Management Office



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

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Our ref: CAW-05-1966
March 9, 2005

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

Subject: Letter, F. P. Schiffler (WOG) to NRC Document Control Desk, "Transmittal of NRC-Approved Topical Report WCAP-15973-P-A, "Low-Alloy Steel Component Corrosion Analysis Supporting Small-Diameter Alloy 600/690 Nozzle Repair/Replacement Programs (Proprietary)," WOG-05-113 dated March 9, 2005.

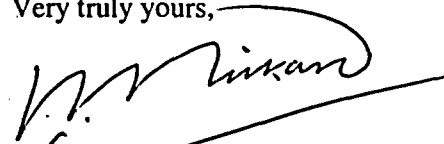
Reference: Letter, H. Berkow (NRC) to G. Bischoff (WOG), "Final Safety Evaluation for Topical Report WCAP-15973-P, Revision 1, "Low-Alloy Steel Component Corrosion Analysis Supporting Small-Diameter Alloy 600/690 Nozzle Repair/Replacement Programs, (TAC No. MB6805)," dated January 12, 2005.

This Application for Withholding is submitted by Westinghouse Electric Company LLC (Westinghouse) pursuant to the provisions of 10 CFR 2.390(b)(1), as amended, of the Commission's regulations. It pertains to the proprietary information contained in WCAP-15973-P-A, Revision 0, which is transmitted to the NRC as requested by the Reference letter.

In conformance with 10 CFR Section 2.390, Affidavit CAW-05-1966 accompanies this Application for Withholding and sets forth the basis on which the identified proprietary information may be withheld from public disclosure. The justification for claiming this information as proprietary is identified in Sections (4)(ii)(a) through (4)(ii)(f) of the affidavit. Accordingly, Westinghouse respectfully requests that the proprietary information contained in this transmittal be withheld from public disclosure

Correspondence with respect to the proprietary aspects of the Application for Withholding or the Westinghouse affidavit should reference this letter, CAW-05-1966, and should be addressed to the undersigned.

Very truly yours,


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

Enclosure:
cc: G. S. Shukla / NRC

- (1) I, Ian C. Rickard, depose and say that I am the Licensing Project Manager 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 the Westinghouse Electric Company LLC.
- (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 the Westinghouse Electric Company LLC 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 constitute Westinghouse policy and provide 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.
- (iii) There are sound policy reasons behind the Westinghouse system for classification of proprietary information, 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.
- (iv) 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.
- (v) 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.
- (vi) The proprietary information sought to be withheld in this submittal is that which is appropriately marked and contained in topical report WCAP-15973-P-A, Revision 0, entitled "Low-Alloy Steel Component Corrosion Analysis Supporting Small-Diameter Alloy 600/690 Nozzle Repair/Replacement Programs."

This information is part of that which will enable Westinghouse to repair or replace Alloy 600 / 690 nozzles, and in particular to support utilities in the application of such, including:

- (a) The identification of important phenomena relevant to corrosion of base metals associated with Alloy 600 / 690 nozzles,
- (b) An assessment of industry data as applied to primary materials corrosion,
- (c) The incorporation of replacement nozzles in plant-specific inspection program applications.

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.
- (b) Westinghouse can sell support and defense of Alloy 600/690 nozzle repair.
- (c) The information requested to be withheld reveals the technical aspects of a methodology that was developed by Westinghouse.

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 advanced nuclear power plant designs and to provide 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 non-proprietary versions of documents furnished to the NRC in connection with requests for generic and/or plant-specific review and approval.

That information which is proprietary in the proprietary version is contained within brackets in order to conform to the requirements of 10 CFR 2.390 of the Commission's regulations concerning the identification and protection of proprietary information voluntarily transmitted to the NRC. Such proprietary information has been deleted in the non-proprietary version, leaving only the brackets. The justification for claiming the information designated as proprietary is indicated in both versions by means of letters (a) through (f) following the brackets enclosing each item identified as proprietary. These letters refer to the types of information Westinghouse customarily holds in confidence as identified in Sections (4)(ii)(a) through (4)(ii)(f) of the affidavit accompanying this transmittal pursuant to 10 CFR 2.390(b)(1).

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The NRC is permitted to make the number of copies of the information that 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. Copies made by the NRC must include the copyright notice in all instances and the proprietary notice if the original was identified as proprietary.