

**ENCLOSURE 1**

**WESTINGHOUSE LTR-RCDA-873-NP ATTACHMENT  
POINT BEACH UNIT 1  
REACTOR VESSEL UPPER CLOSURE HEAD VOLUME  
BEST-ESTIMATE MEAN FLUID TEMPERATURE  
(NON-PROPRIETARY)**

**WESTINGHOUSE AFFIDAVIT**

(8 pages follow)

**LTR-RCDA-873-NP Attachment**

**Point Beach Unit 1 – Reactor Vessel Upper Closure Head  
Volume Best-Estimate Mean Fluid Temperature**

**December 14, 2005**

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Westinghouse Electric Company LLC  
P.O. Box 355  
Pittsburgh, PA 15230-0355

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## Reference:

1. Westinghouse Letter WEP-05-168, Rev. 1-NP, "Point Beach Unit 1, Cycle 29 – Reactor Vessel Upper Closure Head Volume Best-Estimate Mean Fluid Temperature," June 20, 2005

Reference 1 provided the Point Beach Unit 1 best-estimate mean fluid temperature of the reactor vessel upper closure head volume based on the actual operating conditions and the cycle 29 core assemblywise power distributions. The averaged temperature over the cycle was calculated to be 593.9°F. This temperature is not an estimated temperature like the 598°F temperature in reference 1. The 598°F temperature was an estimated value and took into account the effects of a low-leakage core loading pattern with hafnium absorbers, the 1.7% mini power uprate, and the effect of utilizing the best-estimate flow. These effects were added to an initial mean fluid temperature of the reactor vessel upper closure head volume to obtain the 598°F temperature.

The estimated effects to the reactor vessel upper closure head volume, due to the low-leakage core loading pattern with hafnium absorbers, the 1.7% mini power uprate, and the effect of utilizing the best-estimate flow are classified as Westinghouse proprietary data. These effects on the mean fluid temperature of the reactor vessel upper closure head volume have been calculated using the methodology developed by Westinghouse. A third party could easily determine the total effect of the low-leakage core loading pattern with hafnium absorbers, the 1.7% mini power uprate, and the effect of utilizing the best-estimate flow given the initial mean fluid temperature of the reactor vessel upper closure head volume. Therefore, the initial mean fluid temperature of the reactor vessel upper closure head volume before the effects were added was also classified as Westinghouse proprietary data.

The initial mean fluid temperature of the reactor vessel upper closure head volume used in the estimation of the 598°F temperature and the cycle 29 specific mean fluid temperature of the reactor vessel upper closure head volume are based on different plant operating conditions and any similarities between the two temperatures is purely a coincidence.



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Our ref: CAW-05-2087

December 16, 2005

**AFFIDAVIT FOR NON-PROPRIETARY INFORMATION**

Subject: LTR-RCDA-873-NP Attachment, "Point Beach Unit 1 – Reactor Vessel Upper Closure Head Volume Best-Estimate Mean Fluid Temperature," dated December 14, 2005 (Non-Proprietary)

The non-proprietary information in the above-referenced report is identified in Affidavit CAW-05-2087 signed by the owner of the non-proprietary information, Westinghouse Electric Company LLC.

Accordingly, this letter authorizes the utilization of the accompanying affidavit by Nuclear Management Company.

Correspondence with respect to the non-proprietary aspects of the Westinghouse affidavit should reference this letter, CAW-05-2087, 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', written over a horizontal line.

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

Enclosures

cc: B. Benney  
L. Feizollahi

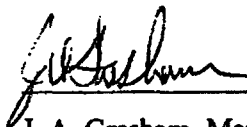
AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

SS

COUNTY OF ALLEGHENY:

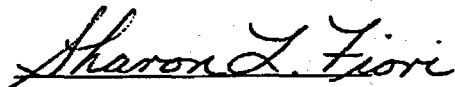
Before me, the undersigned authority, personally appeared J. A. Gresham, who, being by me duly sworn according to law, deposes and says that he is authorized to execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse), and that the averments of fact set forth in this Affidavit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



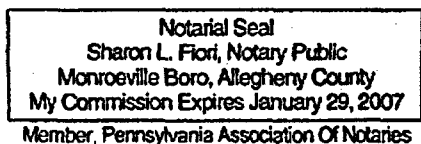
J. A. Gresham, Manager

Regulatory Compliance and Plant Licensing

Sworn to and subscribed  
before me this 16<sup>th</sup> day  
of December, 2005



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 non-proprietary information in connection with nuclear power plant licensing and rule making proceedings.
- (2) I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.390 of the Commission's regulations.
- (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 non-proprietary information in this submittal is that which is appropriately marked in LTR-RCDA-873-NP Attachment, "Point Beach Unit 1 – Reactor Vessel Upper Closure Head Volume Best-Estimate Mean Fluid Temperature" (Non-proprietary), dated December 14, 2005. The information is provided in support of a submittal to the Commission, being transmitted by Nuclear Management Company letter and Affidavit CAW-05-2087, to the Document Control Desk.

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

- (a) Show that a postulated drop of the replacement reactor vessel closure head would produce impact forces at the vessel supports that are no greater than those calculated for the original vessel head, accounting for the different weights of new replacement reactor vessel head and head assembly upgrade packages.
- (b) Assist the customer to obtain NRC approval.

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 this information to its customers in the licensing process.

Public disclosure of 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 licensing support documentation 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.