



Westinghouse Electric Company
Nuclear Power Plants
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U.S. Nuclear Regulatory Commission
ATTENTION: Document Control Desk
Washington, D.C. 20555

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e-mail: sisk1rb@westinghouse.com

Your ref: Docket Number 52-006
Our ref: DCP/NRC2182

June 30, 2008

Subject: AP1000 DCD Impact Document Submittal of APP-GW-GLE-026, Revision 0

Westinghouse submitted the 10 CFR 50.46 report for the AP1000 Standard Plant Design in letter DCP/NRC2074, dated February 15, 2008. In this letter Westinghouse provided a schedule for the reanalysis for Best Estimate LOCA using the Automated Statistical Treatment of Uncertainty Method (ASTRUM) methodology. The attached report, Revision 0 of APP-GW-GLE-026, "Application of ASTRUM Methodology for Best Estimate Large Break Loss of Coolant Accident Analysis for AP1000," documents this reanalysis. The attached report also identifies changes to the AP1000 Design Control Document (DCD). These changes do not represent a change to the design of the AP 1000. There are no changes to the configuration of structures, system, and components.

This report is submitted in support of the AP1000 Design Certification Amendment Application (Docket No. 52-006). The information provided in this report is generic and is expected to apply to all Combined Operating License (COL) applicants referencing the AP1000 Design Certification and the AP1000 Design Certification Amendment Application.

Proprietary and non-proprietary versions of APP-GW-GLE-026, Revision 0, "Application of ASTRUM Methodology for Best Estimate Large Break Loss of Coolant Accident Analysis for AP1000," are submitted as Enclosures 3 and 4. Also enclosed is one copy of the Application for Withholding, AW-08-2454 (nonproprietary) with Proprietary Information Notice, and one copy of the associated Affidavit (nonproprietary).

This submittal contains proprietary information of Westinghouse Electric Company, LLC. In conformance with the requirements of 10 CFR Section 2.390, as amended, of the Commission's regulations, we are enclosing with this submittal an Application for Withholding from Public Disclosure and an affidavit. The affidavit sets forth the basis on which the information identified as proprietary may be withheld from public disclosure by the Commission.

Correspondence with respect to the affidavit or Application for Withholding should reference AW-08-2454 and should be addressed to James A. Gresham, Manager, Regulatory Compliance and Plant Licensing, Westinghouse Electric Company, LLC, P. O. Box 355, Pittsburgh, Pennsylvania 15230-0355.

D003
NRD

Questions or requests for additional information related to content and preparation of this information should be directed to Westinghouse. Please send copies of such questions or requests to the prospective applicants for combined licenses referencing the AP1000 Design Certification. A representative for each applicant is included on the cc: list of letter.

Very truly yours,



Robert Sisk, Manager
Licensing and Customer Interface
Regulatory Affairs and Standardization

/Enclosures

1. AW-08-2454 "Application for Withholding Proprietary Information from Disclosure," dated June 30, 2008
2. AW-08-2454, Affidavit, Proprietary Information Notice, Copyright Notice dated June 30, 2008
3. APP-GW-GLE-026, Revision 0, "Application of ASTRUM Methodology for Best Estimate Large Break Loss of Coolant Accident Analysis for AP1000."
4. APP-GW-GLE-026-NP, Revision 0, "Application of ASTRUM Methodology for Best Estimate Large Break Loss of Coolant Accident Analysis for AP1000."

cc:	P. Clark	- U.S. NRC	4E
	E. McKenna	- U.S. NRC	4E
	P. Ray	- TVA	4E
	P. Hastings	- Duke Power	4E
	R. Kitchen	- Progress Energy	4E
	A. Monroe	- SCANA	4E
	J. Wilkinson	- Florida Power & Light	4E
	C. Pierce	- Southern Company	4E
	E. Schmiech	- Westinghouse	4E
	G. Zinke	- NuStart/Entergy	4E
	R. Grumbir	- NuStart	4E
	J. Monahan	- Westinghouse	4E
	S. Antoine	- Westinghouse	4E
	D. Golden	- Westinghouse	4E
	M. Leslie	- Westinghouse	4E

ENCLOSURE 1

AW-08-2454

APPLICATION FOR WITHHOLDING
PROPRIETARY INFORMATION FROM DISCLOSURE



Westinghouse Electric Company
Nuclear Services
P.O. Box 355
Pittsburgh, Pennsylvania 15230-0355
USA

U.S. Nuclear Regulatory Commission
ATTENTION: Document Control Desk
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Direct tel: 412-374-6206
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e-mail: sisk1rb@westinghouse.com

Your ref: Docket Number 52-006
Our ref: AW-08-2454

June 30, 2008

APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE

Subject: Transmittal of Proprietary and Non-Proprietary Information, APP-GW-GLE-026, Rev. 0 and APP-GW-GLE-026-NP, Rev. 0, "Application of ASTRUM Methodology for Best Estimate Large Break Loss of Coolant Accident Analysis for AP1000"

The Application for Withholding is submitted by Westinghouse Electric Company, LLC (Westinghouse), pursuant to the provisions of Paragraph (b) (1) of Section 2.390 of the Commission's regulations. It contains commercial strategic information proprietary to Westinghouse and customarily held in confidence.

The proprietary material for which withholding is being requested is identified in the proprietary version of the subject report. In conformance with 10 CFR Section 2.390, Affidavit AW-08-2454 accompanies this Application for Withholding, setting forth the basis on which the identified proprietary information may be withheld from public disclosure.

Accordingly, it is respectively requested that the subject 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 this Application for Withholding or the accompanying affidavit should reference AW-08-2454 and should be addressed to James 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 'Robert Sisk'.

Robert Sisk, Manager
Licensing and Customer Interface
Regulatory Affairs and Standardization

cc: J. Thompson - U.S. NRC

ENCLOSURE 2

Affidavit

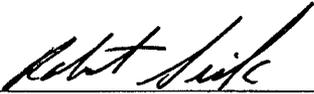
AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

ss

COUNTY OF ALLEGHENY:

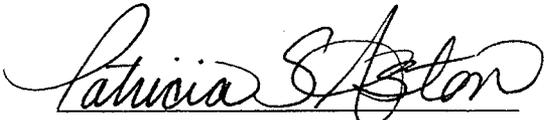
Before me, the undersigned authority, personally appeared Robert Sisk, who, being by me duly sworn according to law, deposes and says that he is authorized to execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse), and that the averments of fact set forth in this Affidavit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



Robert Sisk, Manager
Licensing and Customer Interface
Regulatory Affairs and Standardization

Sworn to and subscribed
before me this *30th* day
of June 2008.

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Patricia S. Aston, Notary Public
Murysville Boro, Westmoreland County
My Commission Expires July 11, 2011
Member, Pennsylvania Association of Notaries



Notary Public

- (1) I am Manager, Regulatory Affairs and Standardization, 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 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.

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 APP-GW-GLE-026, Rev. 0, "Application of ASTRUM Methodology for Best Estimate Large Break Loss of Coolant Accident Analysis for AP1000" (Proprietary), dated June 2008, in support of Combined License application pre-application activities for the NuStart Bellefonte COL Project being transmitted by Westinghouse letter (DCP/NRC2182) and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information as submitted by Westinghouse for the AP1000 NuStart Bellefonte plant is expected to be applicable in other licensee submittals in response to certain NRC requirements for justification of compliance of the safety system to regulations.

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

- (a) Manufacture and deliver products to utilities based on proprietary system designs.

- (b) Advance the AP1000 Design and reduce the licensing risk for the application of the AP1000 Design Certification
- (c) Determine compliance with regulations and standards
- (d) Establish design requirements and specifications for the system.

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 plant construction and operation.
- (b) Westinghouse can sell support and defense of safety systems based on the technology in the reports.
- (c) The information requested to be withheld reveals the distinguishing aspects of an approach and schedule which 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 digital technology safety systems 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.