



Tennessee Valley Authority, Post Office Box 2000, Spring City, Tennessee 37381-2000

September 2, 2010

10 CFR 50.4

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Mail Stop: OWFN P1-35
Washington, D.C. 20555-0001

Watts Bar Nuclear Plant, Unit 2
NRC Docket No. 50-391

Subject: WATTS BAR NUCLEAR PLANT (WBN) UNIT 2 – INSTRUMENTATION AND CONTROLS STAFF INFORMATION REQUESTS

Reference: Licensee Open Items to be Resolved for SER Approval List

The purpose of this letter is to provide documents in response to two of NRC's information requests contained in the "Licensee Open Items to be Resolved for SER Approval List." Enclosure 1 to this letter provides the information requested by NRC.

Enclosure 1, Attachments 1 and 3 contain information proprietary to Westinghouse; and the affidavits for withholding for these documents are contained in Attachments 2 and 4. TVA requests that the Westinghouse proprietary information be withheld from public disclosure in accordance with 10 CFR § 2.390. TVA will submit the nonproprietary versions of these documents to NRC within two weeks of receipt from the vendor.

Enclosure 2 provides the Regulatory Commitment contained in this letter. If you have any questions, please contact William Crouch at (423) 365-2004.

I declare under the penalty of perjury that the foregoing is true and correct. Executed on the 2nd day of September, 2010.

Sincerely,

A handwritten signature in black ink, appearing to read "Edwin E. Freeman".

Edwin E. Freeman
Watts Bar Unit 2 Engineering Manager

D030
NRR

U.S. Nuclear Regulatory Commission
Page 2
September 2, 2010

Enclosures:

1. Responses to Licensee Open Items to be Resolved For SER Approval
2. Regulatory Commitment

cc (Enclosures):

U. S. Nuclear Regulatory Commission
Region II
Marquis One Tower
245 Peachtree Center Ave., NE Suite 1200
Atlanta, Georgia 30303-1257

NRC Resident Inspector Unit 2
Watts Bar Nuclear Plant
1260 Nuclear Plant Road
Spring City, Tennessee 37381

Enclosure 1
TVA Letter Dated 09/02/2010
Watts Bar Nuclear Plant (WBN) Unit 2
Instrumentation And Controls Staff Information Requests

This enclosure provides TVA's responses to NRC information requests maintained in the "Licensee Open Items to be Resolved for the SER Approval List." Each NRC information request is identified by the unique numbering system utilized in the aforementioned NRC list of open actions.

1. NRC Request (Item Number 66)

By letter dated March 12, 2010, TVA stated that the target submittal date for the "Watts Bar 2 PAMS Software Design Description (two documents, one for flat panel display and one for AC 160)" was March 31, 2010.

TVA Response:

TVA initially responded to this request stating that Westinghouse has made the requested documents available in its Rockville office. However, NRC stated that its review must be based on docketed material. Accordingly, Westinghouse is currently developing nonproprietary versions of the NRC-requested vendor proprietary documents, as well as the corresponding withholding affidavits.

TVA's letter dated August 20, 2010 submitted the proprietary version of Westinghouse's document titled "WNA-SD-00250-WBT, Revision 0, Software Design Description for the Post Accident Monitoring System AC160 Software" and its corresponding withholding affidavit. Attachment 1 to this enclosure contains the remaining requested Westinghouse document titled "WNA-SD-00248-WBT, 'RRAS Watts Bar 2 NSSS Completion Program I&C Projects, Software Design Description for the Post Accident Monitoring System Flat Panel Display' (Proprietary), dated April 20, 2010." Attachment 2 contains Westinghouse's Application for Withholding Proprietary Information for Public Disclosure, CAW-10-2923, dated August 26, 2010, for Attachment 1. TVA will submit the nonproprietary versions of these documents to NRC within two weeks of receipt from the vendor.

2. NRC Request (Item Number 261)

Please provide the following NRC Request Item No. 257 contained in the "Licensee Open Items to be Resolved for SER Approval List:" System Requirements Specification for the Common Q Post Accident Monitoring System," 0000-ICE-30156, Rev 6, Westinghouse Electric Company LLC

TVA Response:

Attachment 3 contains the requested Westinghouse document: "0000-ICE-30156, Revision 7, 'System Requirements Specification for the Common Q Post Accident Monitoring System' (Proprietary), dated April 2010." Attachment 4 contains the Application for Withholding Proprietary Information for Public Disclosure, CAW-10-2921, dated August 23, 2010, for Attachment 3. TVA will submit the nonproprietary versions of these documents to NRC within two weeks of receipt from the vendor.

Enclosure 1
TVA Letter Dated 09/02/2010
Watts Bar Nuclear Plant (WBN) Unit 2
Instrumentation And Controls Staff Information Requests

Attachments

1. Westinghouse Document: WNA-SD-00248-WBT, RRAS Watts Bar 2 NSSS Completion Program I&C Projects, Software Design Description for the Post Accident Monitoring System Flat Panel Display (Proprietary), dated April 20, 2010
2. Application for Withholding Proprietary Information for Public Disclosure, CAW-10-2923, dated August 26, 2010, for Westinghouse document titled: WNA-SD-00248-WBT, RRAS Watts Bar 2 NSSS Completion Program I&C Projects, Software Design Description for the Post Accident Monitoring System Flat Panel Display (Proprietary), dated April 20, 2010
3. Westinghouse Document: 0000-ICE-30156, Revision 7, System Requirements Specification for the Common Q Post Accident Monitoring System (Proprietary), dated April 2010
4. Application for Withholding Proprietary Information for Public Disclosure, CAW-10-2921, dated August 23, 2010, for Westinghouse document titled: 0000-ICE-30156, Revision 7, System Requirements Specification for the Common Q Post Accident Monitoring System (Proprietary), dated April 2010

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TVA Letter Dated 09/02/2010
Watts Bar Nuclear Plant (WBN) Unit 2
Instrumentation And Controls Staff Information Requests**

ATTACHMENT 2

**Application for Withholding Proprietary Information for Public Disclosure,
CAW-10-2923, dated August 26, 2010, for Westinghouse document titled:
WNA-SD-00248-WBT, RRAS Watts Bar 2 NSSS Completion Program I&C Projects,
Software Design Description for the Post Accident Monitoring
System Flat Panel Display (Proprietary), dated April 20, 2010**



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

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

Direct tel: (412) 374-4643
Direct fax: (412) 374-3846
e-mail: greshaja@westinghouse.com
Proj letter: WBT-D-2283

CAW-10-2923

August 26, 2010

APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE

Subject: WNA-SD-00248-WBT, Rev. 0, "RRAS Watts Bar 2 NSSS Completion Program I&C Projects, Software Design Description for the Post Accident Monitoring System Flat Panel Display" (Proprietary)

The proprietary information for which withholding is being requested in the above-referenced reports are further identified in Affidavit CAW-10-2923 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.

The subject document was prepared and classified as Westinghouse Proprietary Class 2. Westinghouse requests that this document be considered proprietary in its entirety.

Accordingly, this letter authorizes the utilization of the accompanying affidavit by the Tennessee Valley Authority.

Correspondence with respect to the proprietary aspects of the application for withholding or the Westinghouse affidavit should reference this letter, CAW-10-2923, 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

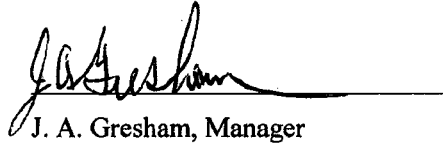
AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

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COUNTY OF ALLEGHENY:

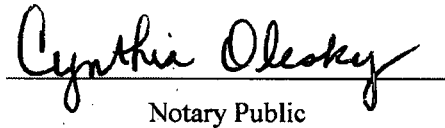
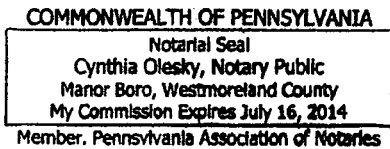
Before me, the undersigned authority, personally appeared J. A. Gresham, who, being by me duly sworn according to law, deposes and says that he is authorized to execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse), and that the averments of fact set forth in this Affidavit 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 26th day of August 2010


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 Proprietary Information from Public Disclosure 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 contained in WNA-SD-00248-WBT, Rev. 0, "RRAS Watts Bar 2 NSSS Completion Program I&C Projects, Software Design Description for the Post Accident Monitoring System Flat Panel Display," (Proprietary) dated April 2010, for submittal to the Commission, being transmitted by Tennessee Valley Authority letter and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information as submitted by Westinghouse is that associated with Watts Bar Nuclear Power Plant Unit 2, Post Accident Monitoring System, and may be used only for that purpose.

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

- (a) Provide information in support of plant Post Accident Monitoring system licensing submittals.
- (b) Provide customer specific design information relative to Westinghouse standard platform design.

Further this information has substantial commercial value as follows:

- (a) Westinghouse plans to sell the use of similar systems for similar applications to its customers.
- (b) The information requested to be withheld reveals the distinguishing aspects of a methodology which was developed by Westinghouse.
- (c) The information requested to be withheld reveals the distinguishing aspects of a design 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 designs, calculations, methodologies 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 is the proprietary version of a document furnished to the NRC in connection with requests for generic and/or plant-specific review and approval. The document is to be considered proprietary in its entirety.

COPYRIGHT NOTICE

The report transmitted herewith bears a Westinghouse copyright notice. The NRC is permitted to make the number of copies of the information contained in this report which is 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.

Tennessee Valley Authority

Letter for Transmittal to the NRC

The following paragraphs should be included in your letter to the NRC:

Enclosed are:

1. ___ copies of WNA-SD-00248-WBT, Rev. 0, "RRAS Watts Bar 2 NSSS Completion Program I&C Projects, Software Design Description for the Post Accident Monitoring System Flat Panel Display," (Proprietary) dated April 2010

Also enclosed is the Westinghouse Application for Withholding Proprietary Information from Public Disclosure CAW-10-2923, 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 copyright or proprietary aspects of the items listed above or the supporting Westinghouse affidavit should reference CAW-10-2923 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.

**Enclosure 1
TVA Letter Dated 09/02/2010
Watts Bar Nuclear Plant (WBN) Unit 2
Instrumentation And Controls Staff Information Requests**

ATTACHMENT 4

**Application for Withholding Proprietary Information for Public Disclosure,
CAW-10-2921, dated August 23, 2010, for Westinghouse document titled:
*0000-ICE-30156, Revision 7, System Requirements Specification for the
Common Q Post Accident Monitoring System (Proprietary), dated April 2010***



Westinghouse Electric Company
Nuclear Services
P.O. Box 355
Pittsburgh, Pennsylvania 15230-0355
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U.S. Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555-0001

Direct tel: (412) 374-4643
Direct fax: (412) 374-3846
e-mail: greshaja@westinghouse.com
Proj letter: WBT-D-2283

CAW-10-2921

August 23, 2010

APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE

Subject: 00000-ICE-30156, Rev. 07, "System Requirements Specification for the Common Q
Post Accident Monitoring System," dated April 2010

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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

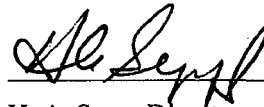
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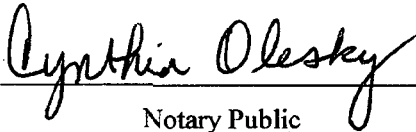
Before me, the undersigned authority, personally appeared H. A. Sepp, who, being by me duly sworn according to law, deposes and says that he is authorized to execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse), and that the averments of fact set forth in this Affidavit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



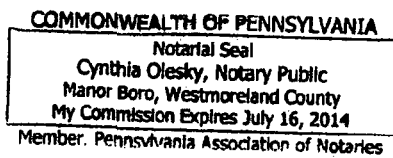
H. A. Sepp, Director

Safety Analysis and Licensing

Sworn to and subscribed before me
this 23rd day of August 2010



Notary Public



- (1) I am Director, Safety Analysis and 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.
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Tennessee Valley Authority

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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 copyright or proprietary aspects of the items listed above or the supporting Westinghouse affidavit should reference CAW-10-2921 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.

Enclosure 2
TVA Letter Dated 09/02/2010
Watts Bar Nuclear Plant (WBN) Unit 2
Instrumentation And Controls Staff Information Requests

Commitments

1. TVA will submit the nonproprietary version of Westinghouse document WNA-SD-00248-WBT, RRAS Watts Bar 2 NSSS Completion Program I&C Projects, Software Design Description for the Post Accident Monitoring System Flat Panel Display (Proprietary), dated April 20, 2010, to NRC within two weeks of receiving it from the vendor.
2. TVA will submit the nonproprietary version of Westinghouse document 0000-ICE-30156, Revision 7, System Requirements Specification for the Common Q Post Accident Monitoring System (Proprietary), dated April 2010 to NRC within two weeks of receiving it from the vendor.