

444 South 16th Street Mall
Omaha, NE 68102-2247

LIC-11-0136
December 22, 2011

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555-0001

- References:
1. Docket No. 50-285
 2. Letter from OPPD (D. J. Bannister) to NRC (Document Control Desk), *Supplement to License Amendment Request (LAR) 10-07, Proposed Changes to Adopt NFPA 805, Performance-Based Standard for Fire Protection for Light Water Reactor Generating Plants (2001 Edition) at Fort Calhoun Station*, dated December 19, 2012 (LIC-11-0130)

SUBJECT: Clarification of Supplement to License Amendment Request (LAR) 10-07, Proposed Changes to Adopt NFPA 805, Performance-Based Standard for Fire Protection for Light Water Reactor Generating Plants (2001 Edition) at Fort Calhoun Station

In Reference 2, the Omaha Public Power District (OPPD) provided information to supplement License Amendment Request (LAR) 10-07 for Fort Calhoun Station (FCS), Unit No. 1, to adopt National Fire Protection Association (NFPA) 805, *Performance-Based Standard for Fire Protection for Light Water Reactor Generating Plants (2001 Edition)*. OPPD is providing this submittal to clarify the responses in Reference 2 as requested during a teleconference with the NRC on December 21, 2011. The information provided in Reference 2 remains accurate and this submittal is intended to supplement rather than replace the information contained in Reference 2.

Three issues were discussed during the teleconference. The issues and their resolution are provided in the attachment. Please note that Enclosure 1 contains information proprietary to Westinghouse and should be withheld from public disclosure in accordance with Enclosure 2.

There are no regulatory commitments in this letter.

ADD
NRR

LIC-11-0136
Attachment
Page 1

OPPD Clarification of Supplement to License Amendment Request 10-07

NRC Request #1

The NRC clarified that the facts and observations (F&Os) from the full scope peer review and subsequent focused peer reviews as well as their disposition must be docketed. Accordingly, enclosed is a letter from Westinghouse (CFTC-11-95, Revision 1), which contains the F&Os and their disposition. Please note that the material is proprietary to Westinghouse and should be withheld from public disclosure in accordance with the enclosed affidavit.

NRC Request #2

The NRC asked why OPPD provided the High Confidence Low Probability of Failure (HCLPF) capacity rather than an estimate for seismic core damage frequency (CDF) and large early release frequency (LERF). Therefore, OPPD wishes to clarify that the Individual Plant Examination of External Events (IPEEE) for Fort Calhoun Station did not calculate a seismic CDF or seismic LERF.

NRC Request # 3

The NRC asked for the results of the quantitative sensitivity study. The information is as follows:

Quantitative Sensitivity Study Results

In FC32 (Room 19, Compressor Area), the FCS fire probabilistic risk assessment (PRA) currently assumes that hot work fires will be initiated only if the plant fails to comply with the revised hot work control procedure. The procedure disallows welding or cutting in this area while the plant is at power, and the probability of failing to comply with the procedure (hot work procedural compliance factor) is assumed to be 0.01.

If the 0.01 hot work procedural compliance factor is set to 1.0, then the FC32 total hot work CDF and LERF increase by 3.18E-07 /year and 1.34E-08 /year, respectively.

The following table summarizes the quantitative sensitivity study results used for comparison against the NFPA 805 acceptance criteria.

LIC-11-0136
Attachment
Page 2

	FC32 VFDR ΔCDF and ΔLERF	Total Plant VFDR ΔCDF and ΔLERF	Total Plant CDF and LERF
Results when 0.01 hot work procedural compliance factor is removed from FC32 quantification	3.75E-07 /year CDF 1.71E-08 /year LERF	6.04E-06 /year CDF 6.80E-07 /year LERF	6.04E-05 /year CDF 4.83E-06 /year LERF
Results when 0.01 hot work procedural compliance factor is removed from FC32 quantification, in addition to removing all other Unreviewed Analysis Methods (UAMs) from the FCS fire PRA	4.48E-07 /year CDF 2.29E-08 /year LERF	9.04E-06 /year CDF 8.59E-07 /year LERF	9.43E-05 /year CDF 8.59E-06 /year LERF

~~Proprietary – WITHHOLD FROM PUBLIC DISCLOSURE UNDER 10 CFR 2.390~~
Enclosure 1 contains ~~proprietary information~~.
Upon removal of Enclosure 1, this letter is Decontrolled.

LIC-11-0136
Enclosure 1
Page 1

CFTC-11-95, Revision 1
Omaha Public Power District
Fort Calhoun Station
NFPA 805 Fire PRA
NFPA-805 – Task 7.17 PRA Peer Review History

~~Proprietary – WITHHOLD FROM PUBLIC DISCLOSURE UNDER 10 CFR 2.390~~
Enclosure 1 contains ~~proprietary information~~.
Upon removal of Enclosure 1, this letter is Decontrolled.

Omaha Public Power District

Letter for Transmittal to the NRC

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

Enclosed are:

1. X copies of LTR-RAM-II-10-046, Rev. 1, "“OPPD NFPA-805, Task 7.17: Fire PRA Self-Assessment, ASME/ANS RA-Sa-2009 Roadmap and Peer Review History for the Internal Events PRA and the Fire PRA of Fort Calhoun Station” (Proprietary), April 22, 2011 (Proprietary)

Also enclosed is the Westinghouse Application for Withholding Proprietary Information from Public Disclosure CAW-11-3330, accompanying Affidavit, Proprietary Information Notice, and Copyright Notice.

The subject document was prepared and classified as Westinghouse Proprietary Class 2. Westinghouse requests that the document be considered proprietary in its entirety. As such, a non-proprietary version will not be issued.

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-11-3330 and should be addressed to J. A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company LLC, Suite 428, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania 16066.

~~Proprietary~~ WITHHOLD FROM PUBLIC DISCLOSURE UNDER 10 CFR 2.390

Enclosure 1 contains ~~proprietary information~~.

Upon removal of Enclosure 1, this letter is Decontrolled.

LIC-11-0136
Enclosure 2
Page 1

CAW-11-3330

“Application for Withholding Proprietary Information From Public Disclosure”

U. S. Nuclear Regulatory Commission

LIC-11-0136

Page 2

If you should have any questions regarding this letter, or require additional information, please contact Mr. Bill R. Hansher at 402-533-6894.



D. J. Bannister

Vice President and CNO

DJB/BJVS/mle

Attachment: OPPD Clarification of Supplement to License Amendment Request 10-07

- Enclosures:
1. CFTC-11-95, Revision 1, "Omaha Public Power District, Fort Calhoun Station NFPA 805 Fire PRA, NFPA-805 – Task 7.17 PRA Peer Review History," dated May 2, 2011
 2. CAW-11-3330, "Application for Withholding Proprietary Information From Public Disclosure," dated December 9, 2011

- c:
- E. E. Collins, Jr., NRC Regional Administrator, Region IV (w/o enclosures)
 - L. E. Wilkins, NRC Project Manager
 - J. C. Kirkland, NRC Senior Resident Inspector (w/o enclosures)
 - Director of Consumer Health Services, Department of Regulation and Licensure, Nebraska Health and Human Services, State of Nebraska (w/o enclosures)



Westinghouse Electric Company
Nuclear Services
1000 Westinghouse Drive
Cranberry Township, Pennsylvania 16066
USA

U.S. Nuclear Regulatory Commission
Document Control Desk
11555 Rockville Pike
Rockville, MD 20852

Direct tel: (412) 374-4643
Direct fax: (724) 720-0754
e-mail: greshaja@westinghouse.com
Proj letter: CFTC-11-95, Rev. 1

CAW-11-3330

December 09, 2011

APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE

Subject: LTR-RAM-II-10-046, Rev. 1, "OPPD NFPA-805, Task 7.17: Fire PRA Self-Assessment, ASME/ANS RA-Sa-2009 Roadmap and Peer Review History for the Internal Events PRA and the Fire PRA of Fort Calhoun Station", April 22, 2011 (Proprietary)

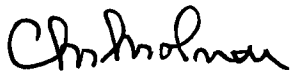
The proprietary information for which withholding is being requested in the subject document is further identified in Affidavit CAW-11-3330 signed by the owner of the proprietary information, Westinghouse Electric Company LLC. The affidavit, which accompanies this letter, sets forth the basis on which 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 the document be considered proprietary in its entirety. As such, a non-proprietary version will not be issued.

Accordingly, this letter authorizes the utilization of the accompanying affidavit by Omaha Public Power District.

Correspondence with respect to the proprietary aspects of the application for withholding or the Westinghouse affidavit should reference this letter, CAW-11-3330, and should be addressed to J. A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company LLC, Suite 428, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania 16066.

Very truly yours,


for J. A. Gresham, Manager
Regulatory Compliance

Enclosures

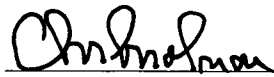
AFFIDAVIT

STATE OF CONNECTICUT:

ss *Windsor Locks*

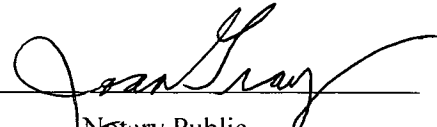
COUNTY OF HARTFORD:

Before me, the undersigned authority, personally appeared C. M. Molnar, 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:



C. M. Molnar, Senior Engineer
Regulatory Compliance

Sworn to and subscribed before me
this 9th day of DECEMBER 2011



Notary Public
Subscribed and sworn to before me, a Notary
Public, in and for County of Hartford
and State of Connecticut, this 9th day
of DECEMBER, 2011.
JOAN GRAY
Notary Public
My Commission Expires January 31, 2012

- (1) I am Senior Engineer, Regulatory Compliance, 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 LTR-RAM-II-10-046, Rev. 1, "OPPD NFPA-805, Task 7.17: Fire PRA Self-Assessment, ASME/ANS RA-Sa-2009 Roadmap and Peer Review History for the Internal Events PRA and the Fire PRA of Fort Calhoun Station" (Proprietary), dated April 22, 2011, for submittal to the Commission, being transmitted by Omaha Public Power District 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 fire probabilistic risk modeling in support of the Fort Calhoun Station 10 CFR 50.48(c) License Amendment Request and may be used only for that purpose.

This information is part of that which will enable Westinghouse to support the Fort Calhoun Station 10 CFR 50.48(c) License Amendment Request.

Further this information has substantial commercial value as follows:

- (a) Westinghouse plans to sell the use of similar information to its customers for the purpose of gaining NRC approval of similar License Amendment Requests.
- (b) The information requested to be withheld reveals the distinguishing aspects of a methodology 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 fire protection assessments 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.