



PROPRIETARY

**Nuclear Innovation
North America LLC
4000 Avenue F, Suite A
Bay City, Texas 77414**

**March 12, 2012
U7-C-NINA-NRC-120020
10 CFR 2.390**

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

South Texas Project
Units 3 and 4
Docket Nos. 52-012 and 52-013
Spent Fuel Rack Audit Information

Nuclear Innovation North America LLC (NINA) is providing the attached information as requested by NRC staff during the spent fuel rack (SFR) audit of January 17, 2012 in Rockville, MD. The requested information was designated as audit action item numbers 10 and 19 involving the fuel-to-rack gaps at the top of the SFR and the SFR buckling calculation, respectively. The information requested by audit action item number 10 is being provided as a revised response to a staff question in Request for Additional Information (RAI) letter number 415 related to Combined License Application (COLA) Part 2, Tier 2, Section 9.1, "Fuel Storage and Handling." Therefore the attachments to this letter include proprietary and non-proprietary responses to the following RAI:

09.01.02-23 Revision 1

Attachments 4 and 5 include information proprietary to Westinghouse and are supported by affidavits (Attachments 2 and 3) signed by Westinghouse, the owner of the information. The affidavits set 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 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 Affidavits should reference CAW-12-3411 or CAW-12-3412 as appropriate and should be addressed to J. A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company LLC, Suite 428, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania 16066.

Attachment 5 is entirely proprietary and therefore, a non-proprietary version is not provided.

When separated from the proprietary response and audit information in Attachments 4 and 5, this letter is not proprietary.

STI 33393822

DO91
NRO

There are no commitments in this letter.

If there are any questions regarding this submittal, please contact Scott Head at (361) 972-7136, or Bill Mookhoek at (361) 972-7274.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 3-12-12



Mark McBurnett
Senior Vice President, Oversight & Regulatory Affairs
Nuclear Innovation North America LLC

jaa

- Attachments:
1. RAI 09.01.02-23 Response Revision 1 (non-proprietary)
 2. Affidavit (RAI 09.01.02-23)
 3. Affidavit (Fuel Storage Rack Buckling Methodology and Assessment)
 4. RAI 09.01.02-23 Response Revision 1 (proprietary)
 5. STP Units 3 and 4 Fuel Storage Rack Buckling Methodology and Assessment (proprietary)

cc: w/o attachment except*
(paper copy)

Director, Office of New Reactors
U. S. Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

Regional Administrator, Region IV
U. S. Nuclear Regulatory Commission
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Nuclear Innovation North America

Peter G. Nemeth
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Richard Peña
Kevin Pollo
L. D. Blaylock
CPS Energy

RAI 09.01.02-23

QUESTION:

In the Technical Report, Revision 2, Section 4.2.2, the applicant states:

“For the validation and WPM rack finite element models, some specific details of the rack construction differ from the design specified in Section 3 and Appendix A. The detailed stress analyses of all rack components are consistent with the design specified in Section 3 and Appendix A. Changes to the design were implemented after the completion of the WPM analyses to address design issues. These changes to the design affect local regions of the rack and will not have a significant impact on dynamic characteristics of the rack. Therefore, the results from the WPM analyses are valid. Specific details on the differences between the rack finite element model and the design are discussed throughout the model discussion.”

To assist the staff in reaching a conclusion that the differences are collectively insignificant, the staff requests the applicant to provide a summary description of each difference, an assessment of the individual effect of each difference on the dynamic characteristics of the racks, and an assessment of collective effect of all differences on the dynamic characteristics of the racks.

RESPONSE REVISION 1:

NINA provided a response to RAI 09.01.02-23 on February 8, 2012 in letter U7-C-NINA-NRC-120011 (ML12041A380). During an audit in Rockville, MD on January 17–20, 2012, the NRC requested that the bases of the gap between the top of the fuel assembly and the rack be defined. In a conference call on February 15, 2012 the NRC requested that this RAI response be revised to commit to include the summary information contained in this response in the next revision of WCAP-17331-P. Those two requests are being addressed together in this revision. Revisions to this response are indicated with side bars.

Summary of differences between the FE model and the detailed design

The dynamic model finite element representation of the spent fuel storage racks differs from the final design due to in-process design changes. The following is a summary of design differences:

Change Number	Description of difference	WCAP Location
1	The modeled width of the 10 x 10 rack is smaller than the design width.	Figure 4-6, Sketch A-1
2	Leveling screw is modeled as a smaller diameter than the design diameter	4.2.2.1

3	The modeled rack linkage assembly dimensions are smaller than the design dimensions. The lug and clevis system is modeled as a 1-2 lug and clevis, but the design has been modified to be a 2-3 lug and clevis. The lugs and clevis' are not as tall in the model as the design heights.	4.2.2.1, FEM dimensions in Figure 4-9, Design dimension in Sketch A-9, A-10
4	Rack-to-wall gaps in the model are different than the design gaps.	Table 4-4
5	Addition of Spent Fuel Rack Lead-In Guides	New Sketch

Change number 1 is not discussed in detail in the WCAP, however it is discussed in the supporting calculation note. The FEM rack width is smaller because the weld spacers between cells are not modeled. The cell width used is the nominal cell width, and this results in a slightly narrower rack. This modeling methodology is consistent with previous analysis methods and rack licensing submittals. The effect of a smaller rack on the dynamic model would be to increase the chance of rack tipping. Even though spent fuel racks are tied together, rotation of a rack and the subsequent impact of the level screw with the floor is considered the limiting load experienced by the rack. Therefore, a rack more prone to tipping would produce conservative rack-to-floor impact loads.

Change numbers 2 and 3 are local increases in the size of the leveling screw and the rack tie system. These changes were implemented after performing the dynamic runs in response to locally high stresses. These local changes do not significantly change the overall rack weight. Also, the dynamic response of the rack is dominated by the stiffness of the tall, slender, rack 10 x 10 cell structures. Therefore, the overall dynamic response is not significantly affected by these differences. The changes in geometry are considered in the stress evaluations.

Change number 4 has two consequences to the dynamic model. The first is the effect of the change in gap size on the hydrodynamic coupling term calculations. The fluid coupling term is dependent on the smallest fluid gaps. Refer to Table 4-4. The gap difference for the smallest gap (actual gap minus analysis gap) represents less than a 2% change in the gap. In addition, this gap condition exists along a very small portion (less than one rack width) of the rack assembly perimeter. All other gap differences are negative (gaps are smaller than what was modeled). The actual gaps are, at most, 4.7% less than the modeled gap. The decrease in gap size would increase the coupling term. The increased coupling term would reduce the rack structure sliding, which would reduce rack-to-pool floor impact loads and the likelihood that the racks would impact the pool wall.

The second consequence of the change in gap size is the increased chance that the racks might hit the pool wall. The maximum displacements of the rack structure are smaller than the reduced gap sizes. Therefore, rack impact with the pool wall is not a concern.

Change number 5 - The gap between the top of the fuel assembly and the rack will be controlled by the use of Lead-In Guides as shown in Figures 1 & 2. The additional weight is minimal and will not affect the rack modeling.

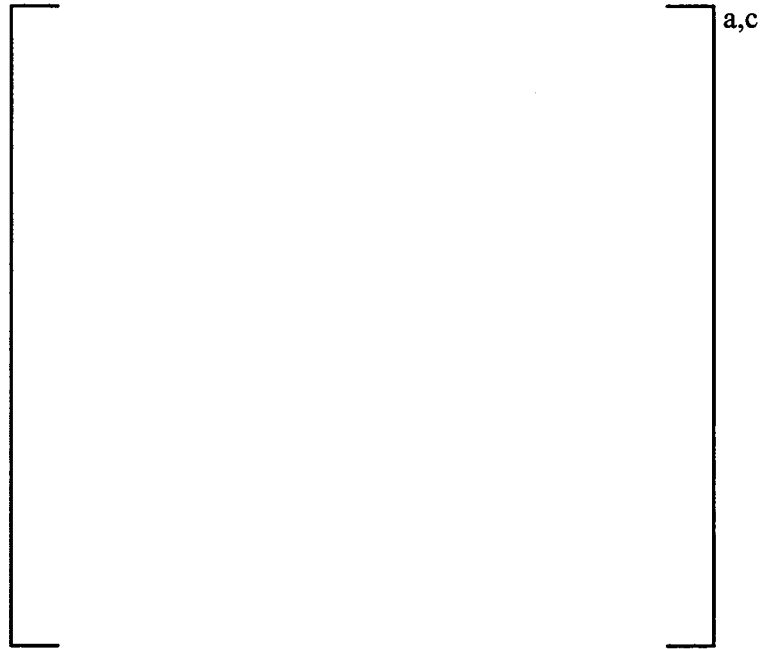


Figure 1 – Individual Cell Lead-In Guides



Figure 2 – Rack Assembly with Lead-In Guides

The net effect of all the differences will not significantly affect the dynamic behavior of the whole pool model.

| A summary of these changes will be included in the next revision of WCAP-17331-P.

No changes to the COLA are required by the responses provided above.



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Nuclear Services
1000 Westinghouse Drive
Cranberry Township, Pennsylvania 16066
USA

U.S. Nuclear Regulatory Commission
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Direct fax: (724) 720-0857
e-mail: maurerbf@westinghouse.com
WEC-NINA-2012-0016

CAW-12-3411

March 9, 2012

APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE

Subject: WEC-NINA-2012-0016 P-Enclosure, "South Texas Project Units 3 & 4 Response to RAI 09.01.02-23 Revision 1 for WCAP-17331-P" (Proprietary)

The proprietary information for which withholding is being requested in the above-referenced document is further identified in Affidavit CAW-12-3411 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.

Accordingly, this letter authorizes the utilization of the accompanying affidavit by Nuclear Innovation North America (NINA).

Correspondence with respect to the proprietary aspects of this application for withholding or the accompanying affidavit should reference CAW-12-3411 and should be addressed to J. A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company, Suite 428, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania 16066.

Very truly yours,

A handwritten signature in black ink, appearing to read 'B. F. Maurer', with a long horizontal stroke extending to the right.

B. F. Maurer, Manager
ABWR Licensing

Enclosures

cc: R. Foster (NRC TWFN 6 D38M)

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

SS


COUNTY OF BUTLER:

Before me, the undersigned authority, personally appeared B. F. Maurer, 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:

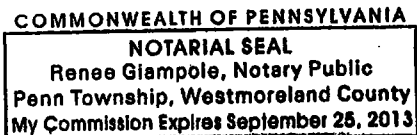


B. F. Maurer, Manager
ABWR Licensing

Sworn to and subscribed before me
this 9th day of March 2012



Notary Public



- (1) I am Manager, ABWR 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 appropriately marked in WEC-NINA-2012-0016 P-Enclosure, "South Texas Project Units 3 & 4 Response to RAI 09.01.02-23 Revision 1 for WCAP-17331-P" (Proprietary) for submittal to the Commission, being transmitted by Nuclear Innovation North America (NINA) 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 NRC review of the ABWR spent fuel rack structural analysis methodology for South Texas Project Units 3&4.

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

- (a) Assist the customer in obtaining NRC review of the spent fuel rack structural analysis for South Texas Project 3&4.

Further this information has substantial commercial value as follows:

- (a) Westinghouse plans to sell the use of this information to its customers for purposes of plant specific spent fuel rack structural analysis and methodology development for ABWR licensing basis applications.
- (b) Its use by a competitor would improve their competitive position in the design and licensing of a similar product for ABWR spent fuel racks.
- (c) 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 technical evaluations 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 are proprietary and/or non-proprietary versions of documents furnished to the NRC in connection with NRC review of the ABWR spent fuel rack structural analysis methodology for South Texas Project Units 3&4.

In order to conform to the requirements of 10 CFR 2.390 of the Commission's regulations concerning the protection of proprietary information so submitted to the NRC, the information which is proprietary in the proprietary versions is contained within brackets, and where the proprietary information has been deleted in the non-proprietary versions, only the brackets remain (the information that was contained within the brackets in the proprietary versions having been deleted). The justification for claiming the information so designated as proprietary is indicated in both versions by means of lower case letters (a) through (f) located as a superscript immediately following the brackets enclosing each item of information being identified as proprietary or in the margin opposite such information. These lower case letters refer to the types of information Westinghouse customarily holds in confidence identified in Sections (4)(ii)(a) through (4)(ii)(f) of the affidavit accompanying this transmittal pursuant to 10 CFR 2.390(b)(1).

Copyright Notice

The reports transmitted herewith each bear a Westinghouse copyright notice. The NRC is permitted to make the number of copies of the information contained in these reports which 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. With respect to the non-proprietary versions of these reports, the NRC is permitted to make the number of copies beyond those necessary for its internal use which are necessary in order to have one copy available for public viewing in the appropriate docket files in the public document room in Washington, DC and in local public document rooms as may be required by NRC regulations if the number of copies submitted is insufficient for this purpose. Copies made by the NRC must include the copyright notice in all instances and the proprietary notice if the original was identified as proprietary.



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WEC-NINA-2012-0017

CAW-12-3412

March 12, 2012

APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE

Subject: Westinghouse Internal Memo LTR-MRCDA-12-38, Revision 0-A, "STP Units 3 and 4 Fuel Storage Rack Buckling Methodology and Assessment" (Proprietary)

The proprietary information for which withholding is being requested in the above-referenced document is further identified in Affidavit CAW-12-3412 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 Nuclear Innovation North America (NINA).

Correspondence with respect to the proprietary aspects of this application for withholding or the accompanying affidavit should reference CAW-12-3412 and should be addressed to J. A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company, Suite 428, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania 16066.

Very truly yours,

A handwritten signature in black ink, appearing to read 'B. F. Maurer'.

B. F. Maurer, Manager
ABWR Licensing

Enclosures

cc: R. Foster (NRC TWFN 6 D38M)

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

ss

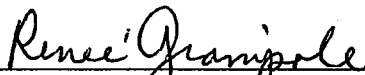
COUNTY OF BUTLER:

Before me, the undersigned authority, personally appeared B. F. Maurer, 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:



B. F. Maurer, Manager
ABWR Licensing

Sworn to and subscribed before me
this 12th day of March 2012



Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Renee Giampole, Notary Public
Penn Township, Westmoreland County
My Commission Expires September 25, 2013

- (1) I am Manager, ABWR 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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- (v) The proprietary information sought to be withheld in this submittal is that which is appropriately marked in Westinghouse Internal Memo LTR-MRCDA-12-38, Revision 0-A, "STP Units 3 and 4 Fuel Storage Rack Buckling Methodology and Assessment" (Proprietary), dated March 8, 2012, for submittal to the Commission, being transmitted by Nuclear Innovation North America (NINA) letter and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information as submitted by Westinghouse is in response to the NRC's Request for Additional Information related to their audit of the spent fuel rack analysis for STP 3&4.

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

- (a) Assist the customer in obtaining NRC review of the spent fuel rack structural analysis in support of the COL Application for STP 3&4.

Further this information has substantial commercial value as follows:

- (a) Westinghouse plans to sell the use of this information to its customers for purposes of plant specific spent fuel rack analysis for ABWR licensing basis applications.
- (b) Its use by a competitor would improve their competitive position in the design and licensing of a similar product for ABWR spent fuel rack analysis.
- (c) 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 technical evaluations 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.

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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 NRC's Request for Additional Information related to their audit of the spent fuel rack analysis for STP 3&4. 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.