PWROG
PWR Owners Group

Program Management Office
1000 Westinghouse Drive
Cranberry Township, Pennsylvania 16066

Project 694

May 23rd, 2016

OG-16-188

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

Subject: PWR Owners Group, Risk Management Committee
PWR Owners Group Transmittal of the Draft Proposed Test Plan for the Generation III SHIELD® SDS in Support of PWROG-14001-P Revision 1, for Information Only (PA-RMSC-1463)

References:

1. PWR Owners Group Submittal of PWROG-14001-P/NP, Revision 1, "PRA Model for the Generation III Westinghouse Shutdown Seal," OG-14-211, dated July 3, 2014.

On May 17th, 2016 the PWROG met with the NRC at the White Flint Offices to discuss the test plan that the PWROG has developed in support of obtaining a Safety Evaluation on PWROG-14001-P, Revision 1 (Reference 1). The PWROG agreed at the meeting to provide a draft copy of the testing plan to the NRC so that an RAI (on PWROG-14001-P) could be generated which formally requests additional testing so that the current failure probabilities in the topical report may be approved.

The purpose of this letter is to transmit the Pressurized Water Reactor Owners Group (PWROG) draft test plan proposal in support of PWROG-14001-P, Revision 1. This draft plan is being provided to the NRC for information only. The draft proposed test plan is attached as Enclosure 1.

Enclosure 1 contains information proprietary to Westinghouse; therefore Enclosure 2 contains the Westinghouse affidavit requesting that the proprietary information not be disclosed. 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. This document is being provided for information only and no follow-up action is required.

D048
NRR

Designated as original
11/3/16 Jonathan Rowley
(Jonathan Rowley)

It is respectfully requested that this 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 information identified above or the supporting Westinghouse affidavit should be directed to: Mr. J. A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania, 16066.

Correspondence related to this transmittal should be addressed to:

Mr. W. Anthony Nowinowski, Program Manager
PWR Owners Group, Program Management Office
Westinghouse Electric Company
1000 Westinghouse Drive
Suite 380
Cranberry Township, Pennsylvania 16066

If you have any questions, please do not hesitate to contact me at (205) 992-7037 or Mr. W. Anthony Nowinowski, Program Manager of the PWR Owners Group, Program Management Office at (412) 374-6855.

Sincerely yours,

Norman J. Stringfellow

Jack Stringfellow
Chairman and Chief Operating Officer
PWR Owners Group

NJS:WAN

Enclosure 1: LTR-RES-16-82.pdf (Proprietary)

Enclosure 2: CAW-16-4424.pdf (Requesting the proprietary information not be disclosed)

cc: PWROG PMO
PWROG Management Committee
PWROG Risk Management Committee
PWROG Licensing Committee
R. Linthicum, PWROG
J. Stringfellow, PWROG
D. Mirizio, PWROG
M. Higby, Westinghouse
M. Lucci, Westinghouse
T. Becker, Westinghouse

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DISTRIBUTION NOTICE

This letter was prepared for the PWR Owners Group. This Distribution Notice is intended to establish guidance for access to this information. This letter (including proprietary and non-proprietary versions) is not to be provided to any individual or organization outside of the PWR Owners Group program participants without prior written approval of the PWR Owners Group Program Management Office. However, prior written approval is not required for program participants to provide copies of Class 3 Non-Proprietary reports to third parties that are supporting implementation at their plant, and for submittals to the NRC.

Westinghouse

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CAW-16-4424

May 23, 2016

APPLICATION FOR WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE

Subject: LTR-RES-16-82, "Generation III **SHIELD®** Shutdown Seal Post-Operational Test Plan" (Proprietary)

The Application for Withholding Proprietary Information from Public Disclosure 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 information for which withholding is being requested in the above-referenced report is further identified in Affidavit CAW-16-4424 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 Pressurized Water Reactor Owners Group (PWROG).

Correspondence with respect to the proprietary aspects of the Application for Withholding or the Westinghouse Affidavit should reference CAW-16-4424 and should be addressed to James A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company, 1000 Westinghouse Drive, Building 3 Suite 310, Cranberry Township, Pennsylvania 16066.

J A Gresham

James A. Gresham, Manager
Regulatory Compliance

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CAW-16-4424
May 23, 2016

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

ss

COUNTY OF BUTLER:

I, James A. Gresham, am 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 my knowledge, information, and belief.

James A. Gresham, Manager
Regulatory Compliance

(1) I am Manager, Regulatory Compliance, 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 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.

(iii) 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.

(iv) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.390, is to be received in confidence by the Commission.

(v) 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.

(vi) The proprietary information sought to be withheld in this submittal is that which is appropriately marked in LTR-RES-16-82, "Generation III **SHIELD®** Shutdown Seal Post-Operational Test Plan" (Proprietary), for submittal to the Commission, being transmitted by PWROG Letter OG-16-188 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 a proposed post-operational test plan for the Generation III **SHIELD®** shutdown seal, and may be used only for that purpose.

(a) This information is part of that which will enable Westinghouse to support the PWROG in resolving any issues the NRC may have regarding providing a safety evaluation for the Generation III SDS **SHIELD®** PRA Model Topical Report PWROG-14001-P.

(b) Further, this information has substantial commercial value as follows:

(i) Westinghouse plans to sell the use of similar information to its customers for the purpose of marketing the Generation III **SHIELD®** shutdown seal.

(ii) Westinghouse can sell support and defense of industry guidelines and acceptance criteria for plant-specific applications.

(iii) 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 evaluation justifications 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.

Letter for Transmittal to the NRC

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

Enclosed is:

1. LTR-RES-16-82, "Generation III **SHIELD®** Shutdown Seal Post-Operational Test Plan" (Proprietary)

Also enclosed is the Westinghouse Application for Withholding Proprietary Information from Public Disclosure CAW-16-4424, 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 item listed above or the supporting Westinghouse Affidavit should reference CAW-16-4424 and should be addressed to James A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company, 1000 Westinghouse Drive, Building 3 Suite 310, Cranberry Township, Pennsylvania 16066.