

# WOLF CREEK

NUCLEAR OPERATING CORPORATION

March 5, 2019

Stephen L. Smith  
Vice President Engineering

ET 19-0008

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555

- References:
- 1) Letter ET 17-0001, dated January 17, 2017, from J. H. McCoy, WCNOC, to USNRC
  - 2) Letter dated October 4, 2018, from B. K. Singal, USNRC, to A. C. Heflin, WCNOC, "Wolf Creek Generating Station, Unit 1 – Request for Additional Information Re: Licensing Amendment Request for Transition to Westinghouse Methodology for Selected Accident and Transient Analyses (CAC No. MF9307, EPID L-2017-LLA-0211)"
  - 3) Letter WO 18-0047, dated November 15, 2018, from J. H. McCoy, WCNOC, to USNRC

Subject: Docket No. 50-482: Response to Request for Additional Information Related to Thermal Conductivity Degradation for License Amendment Request to Revise Technical Specifications to Transition to Westinghouse Core Design and Safety Analysis Including Adoption of Alternative Source Term

To Whom It May Concern:

Reference 1 provided the Wolf Creek Nuclear Operating Corporation (WCNOC) application to revise the Wolf Creek Generating Station (WCGS) Technical Specifications (TS). The proposed amendment would support transition to the Westinghouse Core Design and Safety Analysis methodologies. In addition, the amendment request included revising the WCGS licensing basis by adopting the Alternative Source Term radiological analysis methodology in accordance with 10 CFR 50.67, "Accident Source Term." Reference 2 provided a request for additional information (RAI) related to the application. The RAI consisted primarily of questions

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asking how the phenomenon of thermal conductivity degradation (TCD) is accounted for in the analyses performed for transients not associated with a loss of coolant accident (LOCA). Specifically questions were asked about two transients of concern: control rod ejection and main steam line break. On October 30, 2018, a public meeting was held between WCNOC, Westinghouse, and Nuclear Regulatory Commission (NRC) staff to discuss a successful resolution to the questions posed in the RAI. A follow-up phone call was held between WCNOC, Westinghouse, and NRC staff on November 6, 2018. During this phone call, WCNOC agreed to provide a timeline for responding to the RAI. This timeline was submitted in Reference 3. This timeline provided two possible RAI response dates. The two different dates reflected the different times needed based on the results using the PAD5 model for the two analyses of concern. As indicated in Reference 3, if the PAD5 results indicated that a relaxation of the current TS peak centerline temperature limit was necessary, an additional TS revision would have to be submitted.

Westinghouse performed the two analyses using PAD5 and the results demonstrate that a relaxation of the current TS peak centerline temperature limit is not necessary. Therefore, no additional TS revision to relax this temperature limit will need to be submitted. As such, this submittal contains the entirety of the response to the RAI contained in Reference 2.

The information provided in this submittal does not expand the scope of the application and does not impact the no significant hazard consideration determination presented in Reference 1.

Enclosure I provides the proprietary response to the RAI. Enclosure II provides the non-proprietary response to the RAI. As Enclosure I contains information proprietary to Westinghouse Electric Company LLC, it is supported by an affidavit signed by Westinghouse Electric Company LLC, the owner of the information. The affidavit sets forth the basis on which the information may be withheld from public disclosure by the NRC and addresses with specificity the considerations listed in paragraph (b)(4) of 10 CFR 2.390 of the NRC'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.

In accordance with 10 CFR 50.91, "Notice for public comment; State consultation," a copy of this submittal is being provided to the designated Kansas State official.

This letter contains no commitments. If you have any questions concerning this matter, please contact me at (620) 364-4093, or Ron Benham at (620) 364-4204.

Sincerely,

A handwritten signature in black ink, appearing to read "S. L. Smith", written in a cursive style.

Stephen L. Smith

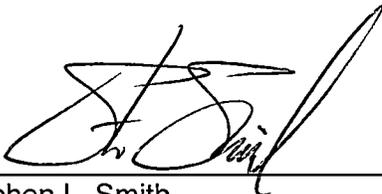
SLS/rit

- Enclosures:
- I Attachment 1 to SAP-19-8, "Westinghouse Responses to NRC Request for Additional Information Documented in ADAMS Accession No. ML18270A094 on the Core Design and Safety Analyses Methodology Transition Program [Proprietary]"
  - II Attachment 2 to SAP-19-8, "Westinghouse Responses to NRC Request for Additional Information Documented in ADAMS Accession No. ML18270A094 on the Core Design and Safety Analyses Methodology Transition Program [Non-Proprietary]"
  - III CAW-19-4862, Revision 0, "Application for Withholding Proprietary Information from Public Disclosure"

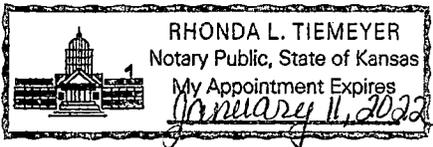
cc: S. A. Morris (NRC), w/e  
B. K. Singal (NRC), w/e  
K. S. Steves (KDHE), w/e (Non-Proprietary only)  
N. H. Taylor (NRC), w/e  
Senior Resident Inspector (NRC), w/e

STATE OF KANSAS    )  
                                  ) SS  
COUNTY OF COFFEY )

Stephen L. Smith, of lawful age, being first duly sworn upon oath says that he is Vice President Engineering of Wolf Creek Nuclear Operating Corporation; that he has read the foregoing document and knows the contents thereof; that he has executed the same for and on behalf of said Corporation with full power and authority to do so; and that the facts therein stated are true and correct to the best of his knowledge, information and belief.

By   
\_\_\_\_\_  
Stephen L. Smith  
Vice President Engineering

SUBSCRIBED and sworn to before me this 5<sup>th</sup> day of March, 2019.



Rhonda L. Tiemeyer  
Notary Public

Expiration Date January 11, 2022

**ENCLOSURE III TO ET 19-0008**

**CAW-19-4862, Revision 0, "Application for Withholding Proprietary  
Information from Public Disclosure"**

**(7 PAGES)**



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CAW-19-4862

February 13, 2019

**APPLICATION FOR WITHHOLDING PROPRIETARY  
INFORMATION FROM PUBLIC DISCLOSURE**

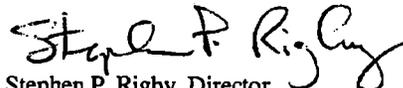
**Subject:** Westinghouse Responses to NRC Request for Additional Information Documented in ADAMS  
Accession No. ML18270A094 on the Core Design and Safety Analyses Method Transition Program  
(Proprietary)

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 Nuclear Regulatory Commission's ("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-19-4862 signed by the owner of the proprietary information, Westinghouse. 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 Wolf Creek Nuclear Operating Corporation

Correspondence with respect to the proprietary aspects of the Application for Withholding or the Westinghouse Affidavit should reference CAW-19-4862, and should be addressed to Camille T. Zozula, Manager, Infrastructure & Facilities Licensing, Westinghouse Electric Company, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania 16066.

  
Stephen P. Rigby, Director  
Windsor Operations

**Enclosures:**

1. Affidavit CAW-19-4862
2. Proprietary Information Notice and Copyright Notice
3. SAP-19-8 P-Attachment, Westinghouse Responses to NRC Request for Additional Information Documented in ADAMS Accession No. ML18270A094 on the Core Design and Safety Analyses Method Transition Program [Proprietary]
4. SAP-19-8 NP-Attachment, Westinghouse Responses to NRC Request for Additional Information Documented in ADAMS Accession No. ML18270A094 on the Core Design and Safety Analyses Method Transition Program [Non-Proprietary]

AFFIDAVIT

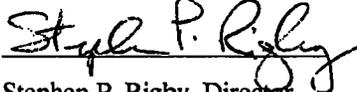
COMMONWEALTH OF PENNSYLVANIA:

SS

COUNTY OF BUTLER:

I, Stephen P. Rigby, am authorized to execute this Affidavit on behalf of Westinghouse Electric Company LLC ("Westinghouse") and declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

Executed on: 2-13-19

  
Stephen P. Rigby, Director  
Windsor Operations

- (1) I am Director, Windsor Operations, 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 Nuclear Regulatory Commission’s (“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 SAP-19-8 P-Attachment, "Westinghouse Responses to NRC Request for Additional Information Documented in ADAMS Accession No. ML18270A094 on the Core Design and Safety Analyses Method Transition Program" (Proprietary), for submittal to the Commission, being transmitted by Wolf Creek Nuclear Operating Corporation (WCNOC) letter. The proprietary information as submitted by Westinghouse is that associated with NRC's review of WCNOC's application to transition to Westinghouse Core Design and Safety Analyses (CDSA) methods, and may be used only for that purpose.
- (a) This information is part of that which will enable Westinghouse to support the NRC's review of WCNOC application to transition to Westinghouse CDSA methods.

- (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 future NRC reviews regarding thermal conductivity degradation.
  - (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 are proprietary and non-proprietary versions of a document, furnished to the NRC in connection with requests for generic and/or plant-specific review and approval.

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)(i)(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.