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Westinghouse  
Electric Corporation

Water Reactor  
Divisions

Nuclear Technology Division

Box 355  
Pittsburgh Pennsylvania 15230

NS-TMA-2268

July 21, 1980

James R. Miller, Chief  
Special Projects Branch  
Division of Project Management  
Nuclear Regulatory Commission  
Phillips Building  
7920 Norfolk Avenue  
Bethesda, MD 20014

Dear Mr. Miller:

Enclosed are:

1. Forty (40) copies of WCAP 9714, "Methodology for the Seismic Qualification of Westinghouse WRD Supplied Equipment," May, 1980, proprietary.
2. Twenty (20) copies of WCAP 9750, "Methodology for the Seismic Qualification of Westinghouse WRD Supplied Equipment," May, 1980, non-proprietary.

Also enclosed is one (1) copy of Application for Withholding AW-80-37.

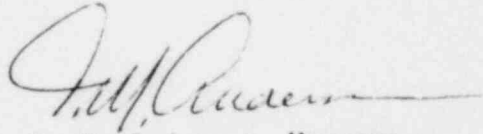
The enclosed Topical Reports describe the methodology used by Westinghouse Water Reactor Divisions (WRD) to seismically qualify seismic Category I equipment. In these reports emphasis is placed on the seismic qualification of electrical equipment in accordance with IEEE 344-1975 and the Westinghouse Electrical Equipment Qualification Program described in WCAP 8587. However, the methods described herein are also applicable to mechanical equipment. These Topical Reports, along with WCAP 8587 and its supplement, constitute the Westinghouse licensing basis for the seismic qualification of electrical equipment. These Topical Reports will be incorporated in the Applicant's Safety Analysis Report and are submitted to the NRC as part of the generic Westinghouse program for the qualification of electrical equipment.

This submittal contains proprietary information of Westinghouse Electric Corporation. In conformance with the requirements of 10CFR Section 2.790, as amended, of the Commission's regulations, we are enclosing with this submittal an application for withholding from public disclosure and an affidavit. The affidavit sets forth the basis on which the information may be withheld from public disclosure by the Commission.

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Correspondence with respect to the affidavit or application for withholding should reference AW-37 and should be addressed to R. A. Wiesemann, Manager, Regulatory and Legislative Affairs, Westinghouse Electric Corporation, P.O. Box 355, Pittsburgh, PA 15230.

Very truly yours,

A handwritten signature in cursive script, appearing to read "T. M. Anderson", written in dark ink.

T. M. Anderson, Manager  
Nuclear Safety Department

TMA/JJM/keg

Enclosure(s)



Westinghouse  
Electric Corporation

Water Reactor  
Divisions

Nuclear Technology Division

Box 355  
Pittsburgh Pennsylvania 15230

July 9, 1980  
AW-80-37

Mr. James R. Miller, Chief  
Special Projects Branch  
Division of Project Management  
Nuclear Regulatory Commission  
Phillips Building  
7920 Norfolk Avenue  
Bethesda, Maryland 20014

APPLICATION FOR WITHHOLDING PROPRIETARY  
INFORMATION FROM PUBLIC DISCLOSURE

SUBJECT: Transmittal of WCAP's 9714 and 9750, "Methodology for the  
Seismic Qualification of Westinghouse WRD Supplied Equipment"

REF: Westinghouse Letter No. NS-TMA-2268, Anderson to Miller, dated  
July 21, 1980

Dear Mr. Miller:

This application for withholding is submitted by Westinghouse Electric Corporation pursuant to the provisions of paragraph (b)(1) of 10CFR 2.790 of the Commission's regulations. It applies to the proprietary material transmitted by the referenced letter which supplements proprietary material previously submitted concerning the qualification of safety-related electrical equipment.

The affidavit provided to justify withholding the previously submitted material, AW-80-27, a copy of which is attached, is equally applicable to this material. The referenced affidavit was submitted by Westinghouse letter No. NS-TMA-2257, Anderson to Miller, dated June 16, 1980.

Accordingly, it is requested that the subject Westinghouse proprietary material be withheld from public disclosure in accordance with the provisions of 10CFR 2.790 of the Commission's regulations.

Correspondence with respect to the proprietary aspects of this application for withholding or the accompanying affidavit should reference AW-80-37 and should be addressed to the undersigned.

Very truly yours,

Robert A. Wiesemann, Manager  
Regulatory & Legislative Affairs

/bek  
Attachment

cc: E. C. Shomaker, Esq.  
Office of the Executive Legal Director, NRC

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

ss

COUNTY OF ALLEGHENY:

Before me, the undersigned authority, personally appeared Robert A. Wiesemann, 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 Corporation ("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:

*Robert A. Wiesemann*

Robert A. Wiesemann, Manager  
Regulatory and Legislative Affairs

Sworn to and subscribed  
before me this 18 day  
of June 1980.

*Robert L. ...*  
Notary Public

- (1) I am Manager, Regulatory and Legislative Affairs, in the Nuclear Technology Division, of Westinghouse Electric Corporation 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 or rule-making proceedings, and am authorized to apply for its withholding on behalf of the Westinghouse Water Reactor Divisions.
- (2) I am making this Affidavit in conformance with the provisions of 10CFR Section 2.790 of the Commission's regulations and in conjunction with the Westinghouse application for withholding accompanying this Affidavit.
- (3) I have personal knowledge of the criteria and procedures utilized by Westinghouse Nuclear Energy Systems 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 2.790 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.
- (g) It is not the property of Westinghouse, but must be treated as proprietary by Westinghouse according to agreements with the owner.

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 which 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 in 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 10CFR Section 2.790, it is to be received in confidence by the Commission.
- (iv) The information sought to be protected is not available in public sources 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 the attachment to Westinghouse Letter No. NS-TMA-2257, Anderson to Miller, dated June 16, 1980 concerning the Westinghouse Equipment Qualification Program to address Regulatory Guides 1.89 and 1.100. The letter and attachment are being submitted to complete the information provided in WCAP-8587, Supplement 1, which was requested by the NRC via PBS Standard Question No. 4, "Environmental Qualification of Class 1E Equipment."

This information enables Westinghouse to:

- (a) Develop test inputs and procedures to satisfactorily verify the design of Westinghouse supplied equipment.
- (b) Assist its customers to obtain licenses.

Further, the information has substantial commercial value as follows:

- (a) Westinghouse can sell the use of this information to customers.

- (b) Westinghouse uses the information to verify the design of equipment which is sold to customers.
- (c) Westinghouse can sell testing services based upon the experience gained and the test equipment and methods developed.

Public disclosure of this information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to design, manufacture, verify, and sell electrical equipment for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others having the same or similar equipment to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

The development of the equipment described in part by the information is the result of many years of development by Westinghouse and the expenditure of a considerable sum of money.

This could only be duplicated by a competitor if he were to invest similar sums of money and provided he had the appropriate talent available and could somehow obtain the requisite experience.

Further the deponent sayeth not.