



50-348  
50-364

Westinghouse  
Electric Corporation

Water Reactor  
Divisions

Nuclear Technology Division

Box 355  
Pittsburgh Pennsylvania 15230

July 25, 1980  
NS-TMA-2283

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

Dear Mr. Miller:

Enclosed are:

1. Forty (40) copies of WCAP-8318, "Farley Setpoint Study" (Proprietary)
2. Twenty (20) copies of WCAP-9768, "Farley Setpoint Study" (Non-Proprietary version of WCAP-8318)

Also enclosed are:

1. One (1) copy of Application for Withholding AW-80-42 (Non-Proprietary)
2. One (1) copy of Affidavit (Non-Proprietary)

The enclosed information is being submitted in response to a request made by Mr. Lester Kintner of Licensing Branch No. 2, Division of Licensing for use in review of the Farley Unit 2 application (Docket Number 50-364).

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.

Correspondence with respect to the affidavit or application for withholding should reference AW-80-42 and should be addressed to R. A. Wiesemann, Manager, Regulatory and Legislative Affairs, Westinghouse Electric Corporation, P. O. Box 355, Pittsburgh, Pennsylvania 15230.

Very truly yours,

*R. A. Wiesemann*  
for T. M. Anderson, Manager  
Nuclear Safety Department

/bek  
Enclosures

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THIS DOCUMENT CONTAINS  
POOR QUALITY PAGES



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AW-80-42

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7920 Norfolk Avenue  
Bethesda, Maryland 20014

APPLICATION FOR WITHHOLDING PROPRIETARY  
INFORMATION FROM PUBLIC DISCLOSURE

SUBJECT: Farley Nuclear Plant, Unit No. 2 (Docket Number 50-364);  
WCAP-8318, "Farley Setpoint Study" (Proprietary)

REF: Westinghouse Letter No. NS-TMA-2283, Anderson to Miller, dated  
July 25, 1980

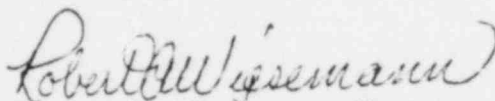
Dear Mr. Miller:

The proprietary material transmitted by the referenced letter is of the same technical type as the proprietary material previously submitted concerning the design bases for thermal overpower delta T and thermal overtemperature delta T trip functions. Further, the affidavit submitted to justify the material previously submitted, AW-77-16, is equally applicable to this material.

Accordingly, withholding the subject information from public disclosure is requested in accordance with the previously submitted non-proprietary affidavit and application for withholding, AW-77-16, dated March 31, 1977, a copy of which is attached.

Correspondence with respect to this application for withholding or the accompanying affidavit should reference AW-80-42, 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 Executive Legal Director (NRC)

Westinghouse Electric Corporation

Power Systems

PWR Systems Division

Box 355  
Pittsburgh Pennsylvania 15230

March 31, 1977

AW-77-16

Mr. John F. Stolz, Chief  
Light Water Reactors Branch No. 1  
Division of Project Management  
Office of Nuclear Reactor Regulation  
U. S. Nuclear Regulatory Commission  
7920 Norfolk Avenue  
Bethesda, Maryland 20014

APPLICATION FOR WITHHOLDING PROPRIETARY  
INFORMATION FROM PUBLIC DISCLOSURE

SUBJECT: WCAP-8745, "Design Bases for the Thermal Overpower Delta T and Thermal Overtemperature Delta T Trip Functions" (Proprietary)

REF.: Westinghouse Letter No. NS-CE-1390, Eichelinger to Stolz, dated March 31, 1977

Dear Mr. Stolz:

This application for withholding is submitted by Westinghouse Electric Corporation ("Westinghouse") pursuant to the provisions of paragraph (b)(1) of Section 2.790 of the Commission's regulations. Withholding from public disclosure is requested with respect to the subject information which is further identified in the affidavit accompanying this application.

The undersigned has reviewed the information sought to be withheld and is authorized to apply for its withholding on behalf of Westinghouse, WRD, notification of which was sent to the Secretary of the Commission on April 19, 1976.

The affidavit accompanying this application 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 2.790 of the Commission's regulations.

Mr. John F. Stolz

-2-

March 31, 1977  
AW-77-16

Accordingly, it is respectfully requested that the subject information which is proprietary to Westinghouse and which is further identified in the affidavit be withheld from public disclosure in accordance with 10 CFR Section 2.790 of the Commission's regulations.

Correspondence with respect to this application for withholding or the accompanying affidavit should be addressed to the undersigned.

Very truly yours,

  
Robert A. Wiesemann, Manager  
Licensing Programs

/smh

Attachment

cc: J. A. Cooke, Esq.  
Office of the Executive Legal Director, NRC

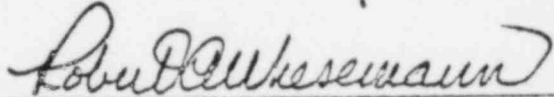
AFFIDAVIT

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, Manager  
Licensing Programs

Sworn to and subscribed  
before me this 30 day  
of March 1977.

  
Notary Public

- (1) I am Manager, Licensing Programs, in the Pressurized Water Reactor Systems 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 10 CFR 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.

- (11) 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.