



Westinghouse  
Electric Corporation

Power Generation  
Group

Steam Turbine Division

Lester Branch Box 9175  
Philadelphia Pennsylvania 19113

August 27, 1982

SE-82-01

Mr. John C. Schiffgens  
Materials Engineering Branch  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

APPLICATION FOR WITHHOLDING PROPRIETARY  
INFORMATION FROM PUBLIC DISCLOSURE

SUBJECT: Table 3-2, Basic Event Service Experience,  
Prepared in 1973.

Table 3-2, Basic Event Service Experience,  
Revised 8/17/82.

CT-24076, METHODOLOGY FOR CALCULATING THE PROBABILITY OF A  
MISSILE GENERATION FROM RUPTURE OF A LOW PRESSURE TURBINE  
DISC, REVISION 1, JULY, 1980.

Dear Mr. Schiffgens:

This application for withholding is submitted by Westinghouse Electric Corporation ("Westinghouse") pursuant to 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, STGD.

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.

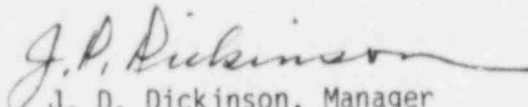
Accordingly, it is respectfully requested that the subject information which is proprietary to Westinghouse and which is further identified in the affidavit be withheld from public disclosure in accordance with 10 CFR Section 2.790 of the Commission's regulations.

7007

August 27, 1982  
Page 2

Correspondence with respect to this application for withholding or the accompanying affidavit should be addressed to the undersigned at Mail Stop G203.

Very truly yours,

  
J. D. Dickinson, Manager  
Engineering Information

Enclosure

19EA002

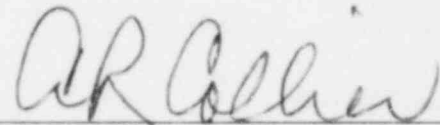
AFFIDAVIT

COMMONWEALTH OF FLORIDA:

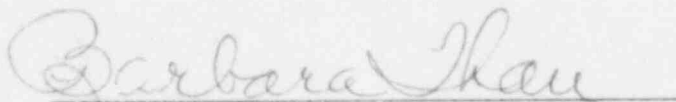
COUNTY OF ORANGE:

ss

Before me, the undersigned authority, personally appeared A. R. Collier, 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:



A. R. Collier, Manager  
Commercial Operations  
Steam Turbine Generator Division



NOTARY PUBLIC  
STATE OF FLORIDA AT LARGE

MY COMMISSION EXPIRES:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES FEB 18 1985  
BONDED THRU GENERAL INS. UNDERWRITERS

- (1) I am Manager, Commercial Operations, Steam Turbine Generator 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 rulemaking proceedings, and am authorized to apply for its withholding on behalf of the Westinghouse Steam Turbine Generator Division.
- (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 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 of 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.

(4)

- (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.

- (h) Public disclosure of this information would allow unfair and untruthful judgments on the performance and reliability of Westinghouse equipment components and improper comparison with similar components made by competitors.

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.
  
- (iii) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.790, it is to be received in confidence by the Commission.
  
- (iv) The information 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 identified in Westinghouse letter SE-82-01, August 27, 1982, J. D. Dickinson to J. O. Shiffgens, "Application for Withholding Proprietary Information from Public Disclosure."



The information enables Westinghouse to do one or more of the following:

- (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 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 turbine-generators

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.