



52-003

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 14, 1998

Mr. Brian A. McIntyre, Manager
Advanced Plant Safety and Licensing
Energy Systems Business Unit
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230

SUBJECT: RETURN OF PROPRIETARY MATERIAL TO WESTINGHOUSE DOCKETED
UNDER THE AP600 DESIGN REVIEW

Dear Mr. McIntyre:

By Westinghouse letter NTD-NRC-95-4556, dated September 18, 1995, you provided a status report on proprietary material submitted to the U. S. Nuclear Regulatory Commission (NRC) to support the AP600 design review effort. This report was in response to an NRC letter dated August 11, 1995, to you which requested Westinghouse to determine if any of the AP600 submittals were: (1) no longer considered to be proprietary under 10 CFR 2.790, or; (2) no longer current and applicable to the AP600 design.

As a result of this review, you identified a number of proprietary submittals to be returned to Westinghouse which you no longer considered necessary to support the AP600 design certification effort. The primary reason you cited for recalling this proprietary material was that most of the documents and submittals have been superseded or revised by a later version. Subsequent to the September 18, 1995, letter Westinghouse has provided proprietary material that was also superseded or revised by a later version. The staff has determined that in specific cases this material was not used by the staff to make a safety determination and should be returned to Westinghouse. Discussions with members of your licensing staff revealed that Westinghouse also believes that it is important to retract these documents to minimize the amount of proprietary material on the AP600 docket and reduce the chance that material outside of Westinghouse control could be inadvertently compromised. You have requested that this material be returned even if the NRC has determined that the material is proprietary.

The NRC technical review staff has performed an assessment of the documents to be retracted to ensure that they are not relied on to support its safety determination relative to the AP600 review and are wholly superseded by later Westinghouse submittals which can support the staff's safety determination independent of the retracted material. During discussions and a meeting with your staff, you were told that documents submitted in support of the AP600 application are subject to the retention requirements of 10 CFR Part 50, Appendix A, Criterion 1, and will be retained for the lifetime of the application. By Westinghouse letter NSD-NRC-96-4689, dated April 12, 1996, you provided written confirmation that all AP600 related proprietary documents, which have been identified for retraction, will be permanently retained by Westinghouse pursuant to 10 CFR Part 50. Based on your assurances that the retracted documents will be retained at Westinghouse, we are satisfied that an adequate mechanism exists for NRC retrieval and inspection of these documents if required.

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Mr. Brian A. McIntyre

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December 14, 1998

As a consequence of this effort, and in accordance with your request, the staff has removed the proprietary documents listed in the Enclosure from the AP600 docket file and is returning them to Westinghouse for your disposition or retention as necessary. The original document contained in the docket file is being returned. NRC staff, contractors, or other parties who received internal NRC distribution have been notified to destroy their copies. The staff notes that the forwarding letter and the letter requesting that the material be treated as proprietary information associated with the retracted material, along with any non-proprietary version of the submittal which have been placed in the Public Document Room, will remain on the docket.

The staff will continue to evaluate other proprietary documents identified in Westinghouse letter NTD-NRC-95-4556 and return them as appropriate.

Sincerely,

Original Signed By

Joseph M. Sebrosky, Project Manager
License Renewal Project Directorate
Division of Reactor Program Management
Office of Nuclear Reactor Regulation

Docket No. 52-003

Enclosure: As stated

cc w/partial encl: See next page

DISTRIBUTION w/partial enclosure:

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| Docket File | PDLR R/F | DMatthews |
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| DATE | 12/10/98 | 12/11/98 | 12/14/98 | 12/11/98 | 12/14/98 |

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Mr. Brian A. McIntyre
Westinghouse Electric Corporation

Docket No. 52-003
AP600

cc: Mr. H. A. Sepp
Advanced Plant Safety & Licensing
Westinghouse Electric Corporation
Energy Systems Business Unit
P.O. Box 355
Pittsburgh, PA 15230

Ms. Susan Fanto
Advanced Plant Safety & Licensing
Westinghouse Electric Corporation
Energy Systems Business Unit
P.O. Box 355
Pittsburgh, PA 15230

Ms. Lynn Connor
DOC-Search Associates
Post Office Box 34
Cabin John, MD 20818

Barton Z. Cowan, Esq.
Eckert Seamans Cherin & Mellott
600 Grant Street 42nd Floor
Pittsburgh, PA 15219

Mr. Charles Thompson, Program Manager
AP600 Certification
NE-50
19901 Germantown Road
Germantown, MD 20874

Mr. Ed Rodwell, Manager
PWR Design Certification
Electric Power Research Institute
3412 Hillview Avenue
Palo Alto, CA 94303

AP600 Proprietary Submittals being returned to Westinghouse

| DATE OF WESTINGHOUSE SUBMITTAL | COMMENTS |
|--------------------------------------|---|
| 3/16/93 ET-NRC-93-3837 | OVERSIZED DRAWINGS FOR HVAC SYSTEMS. |
| 8/16/93 ET-NRC-93-3944 | DRAWINGS OF CMT TEST FACILITY |
| 6/1/94 NTD-NRC-94-4153 | ELECTRONIC COPY OF MATERIALS PREVIOUSLY SUBMITTED |
| 7/28/94 NTD-NRC-94-4246 | AP600 PCCS PRELIMINARY SCALING REPORT |
| 10/21/94 NTD-NRC-94-4327 | PCS-GSR-006 LETTER REPORT |
| 10/27/94 NTD-NRC-94-4318 | WCAP-14190 "Scaling Analysis for AP600 Passive Containment Cooling System" |
| 2/28/95 NTD-NRC-95-4411 | WC/T CMT PRELIMINARY VALIDATION REPORT (MT01-GSR-003) |
| 4/13/95 NTD-NRC-95-4424 | WCAP-14324 (ADS PHASE B1 FINAL DATA REPORT) |
| 8/1/95 NTD-NRC-95-4521 | WCAP-14292 Low-Pressure Integral System Test at Oregon State University Test Analysis Report |
| 7/1/96 NSD-NRC-96-4762 | Scaling Analysis for AP600 Containment Pressure During DBA |
| 7/1/96 NSD-NRC-96-4763 | Assessment of Mixing and Stratification Effects on AP600 Containment |
| 8/8/96 NSD-NRC-96-4790 | Retransmittal (due to missing pages) of Scaling Analysis for AP600 Containment Pressure during Design Basis Accidents |
| 9/24/96 NSD-NRC-96-4824 | AP600 NOTRUMP computer code draft information for meeting |
| 2/28/97 NSD-NRC-97-5006 | WCAP-14845 (Scaling Analysis for AP600 Containment Pressure During DBA) and Roadmap for containment Scaling OIs |
| 3/14/97 NSD-NRC-97-5010 | Transmittal of Ch.12 "Clime Noding Study," of WCAP 14407, "WGOTHIC Application to AP600" |
| 5/16/97 NSD-NRC-97-5136 | Proprietary "Preliminary Description of WGOTHIC Evaluation Model." |

AP600 Proprietary Submittals being returned to Westinghouse

| DATE OF WESTINGHOUSE SUBMITTAL | COMMENTS |
|--------------------------------------|---|
| 6/24/97 NSD-NRC-97-5207 | WCAP-14845, Rev. 2, Scaling Analysis for AP600 Containment Pressure During DBA |
| 8/6/97 NSD-NRC-97-5259 | Presentation Materials for 7/1/97 meeting on WGOTHIC 2D Model (P&NP) |
| 10/16/97 NSD-NRC-97-5370 | Response to NRC Inspection Number 99900404/97-01 of AP600. |
| 04/03/98 NSD-NRC-98-5646 | Presentation material for April 13, 1998, meeting concerning design assurance review. |