



Entergy Operations, Inc.
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Ron Gaston
Director, Nuclear Licensing

10 CFR 50.90

W3F1-2021-0025

March 5, 2021

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Open Item Response - License Amendment Request to Implement a Digital Upgrade to the Core Protection Calculator (CPC) System and Control Element Assembly Calculator (CEAC) System

Waterford Steam Electric Station, Unit 3
NRC Docket No. 50-382
Renewed Facility Operating License No. NPF-38

- References:
- 1) Entergy Operations, Inc. letter to U.S. Nuclear Regulatory Commission (NRC), "License Amendment Request to Implement a Digital Upgrade to the Core Protection Calculator (CPC) system and Control Element Assembly Calculator (CEAC) system," dated July 23, 2020, (ADAMS Accession No. ML20205L587)
 - 2) NRC Meeting Summary, "Summary Of September 22, 2020, Category 1 Public Meeting With Entergy Operations, Inc. Regarding License Amendment Request To Install Digital Upgrade In Accordance With Digital Instrumentation And Control Interim Staff Guidance No. 06, Revision 2, 'Licensing Processes' (EPID L-2020-LLA-0164)," dated October 22, 2020, (ML20288A742)

In Reference 1, Entergy Operations, Inc. (Entergy) submitted a proposed amendment to Appendix A, "Technical Specifications" (TS) of Renewed Facility Operating License No. NPF-38 for Waterford Steam Electric Station, Unit 3 (Waterford). The proposed change would revise the Waterford TS in order to implement a planned digital instrumentation and control (DI&C) modification at Waterford. The DI&C modification will replace the existing digital minicomputers of the Core Protection Calculator (CPC) system and Control Element Assembly Calculator (CEAC) system with the more reliable, digital system based on the Westinghouse Electric Company (Westinghouse) Common Qualified (Common Q) Platform.

On September 22, 2020, the NRC conducted a virtual Category 1 public meeting with representatives from Entergy and Westinghouse Electric Company, LLC. (Westinghouse). The purpose of the meeting was to discuss Entergy's license amendment request (Reference 1). The results of that meeting are summarized in Reference 2.

During the meeting, as summarized in Reference 2, the NRC discussed a proposed process for dispositioning open items (OIs). The OIs are NRC questions regarding the LAR which the NRC would track and eventually disposition as requests for additional information, requests for confirmation of information, audits, or as needing no additional action. The OI list is an informal tool for increasing the efficiency of the NRC review, as well as promoting communication with Entergy. Enclosure 5 of the Reference 2 meeting summary provided a non-proprietary version of preliminary OIs. Enclosures 1, 2, and 3 to this letter provide additional design documents concerning three of the OIs (i.e., OI Nos. 35, 36, and 37).

Enclosures 1, 2, and 3 in their entirety, contain information proprietary to Westinghouse and are supported by Affidavits signed by Westinghouse, the owner of the information. The Affidavits are provided as Enclosures 4 and 5, and set 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 Section 2.390 of the Commission's regulations. Accordingly, Entergy respectfully requests that the information which is proprietary to Westinghouse be withheld from public disclosure in accordance with 10 CFR Section 2.390 of the Commission's regulations.

Correspondence with respect to the copyright or proprietary aspects of Enclosures 1, 2, and 3, or the supporting Westinghouse Affidavits should reference CAW-21-5147, Revision 0 (i.e., concerning Enclosures 1 and 2) and CAW-21-5150, Revision 0 (i.e., concerning Enclosure 3) should be addressed to Zachary S. Harper, Manager, Licensing Engineering, Westinghouse Electric Company, 1000 Westinghouse Drive, Suite 165, Cranberry Township, Pennsylvania 16066.:

- Enclosure 1 provides Westinghouse Letter LTR-GIC-20-003, Revision 1, "Waterford 3 CPCS Response Time Information for FSAR and Technical Specification." This enclosure contains information proprietary to Westinghouse and is supported by an Affidavit signed by Westinghouse, the owner of the information.
- Enclosure 2 provides Westinghouse Letter LTR-TA-20-4, Revision 0, "Waterford Unit 3 Common Q Implementation – Non-LOCA Evaluation of Updated CPCS Response Times." This enclosure contains information proprietary to Westinghouse and is supported by an Affidavit signed by Westinghouse, the owner of the information.
- Enclosure 3 provides Westinghouse Report WNA-CN-00572-CWTR3, Revision 1, "Core Protection Calculator System Response Time Calculation." This enclosure contains information proprietary to Westinghouse and is supported by an Affidavit signed by Westinghouse, the owner of the information.

- Enclosure 4 provides Westinghouse Affidavit CAW-21-5147, Revision 0 in support of Enclosures 1 and 2. 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 Section 2.390 of the Commission's regulations.
- Enclosure 5 provides Westinghouse Affidavit CAW-21-5150, Revision 0 in support of Enclosure 3. 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 Section 2.390 of the Commission's regulations.

The No Significant Hazards Consideration determination provided in the Reference 1 submittal is not altered by the information provided in this letter.

There are no new regulatory commitments included in this letter.

In accordance with 10 CFR 50.91(b)(1), "Notice for public comment; State consultation," a copy of this letter, without the proprietary attachments, is being provided to the designated State Official.

Should you have any questions or require additional information, please contact Paul Wood, Regulatory Assurance Manager, Waterford, at (504) 464-3786 or pwood1@entergy.com.

I declare under penalty of perjury, that the foregoing is true and correct. Executed on March 5, 2021.

Respectfully,



Ron Gaston

RWG/jls

Enclosures:

1. Westinghouse Letter LTR-GIC-20-003, Revision 1, "Waterford 3 CPCS Response Time Information for FSAR and Technical Specification," Proprietary
2. Westinghouse Letter LTR-TA-20-4, Revision 0, "Waterford Unit 3 Common Q Implementation – Non-LOCA Evaluation of Updated CPCS Response Times," Proprietary
3. Westinghouse Report WNA-CN-00572-CWTR3, Revision 1, "Core Protection Calculator System Response Time Calculation," Proprietary

4. Westinghouse Affidavit CAW-21-5147, Revision 0, Proprietary Information Notice, and Copyright in support of LTR-GIC-20-003, Revision 1 and LTR-TA-20-4, Revision 0 (Enclosures 1 and 2)
5. Westinghouse Affidavit CAW-21-5150, Proprietary Information Notice, and Copyright in support of WNA-CN-00572-CWTR3, Revision 1 (Enclosure 3)

cc: NRC Region IV Regional Administrator
NRC Senior Resident Inspector – Waterford Steam Electric Station, Unit 3
Louisiana Department of Environmental Quality
NRC Project Manager Waterford Steam Electric Station, Unit 3

Enclosure 4

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**Westinghouse Affidavit CAW-21-5147, Revision 0, Proprietary Information Notice, and
Copyright in support of LTR-GIC-20-003, Revision 1 and LTR-TA-20-4, Revision 0
(Enclosures 1 and 2)**

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF BUTLER:

- (1) I, Zachary S. Harper, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse).
- (2) I am requesting the proprietary portions of LTR-TA-20-4, Revision 0 and LTR-GIC-20-003, Revision 1 be withheld from public disclosure under 10 CFR 2.390.
- (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 10 CFR 2.390, 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 and is not customarily disclosed to the public.
 - (ii) The information sought to be withheld is being transmitted to the Commission in confidence and, to Westinghouse's knowledge, is not available in public sources.
 - (iii) Westinghouse notes that a showing of substantial harm is no longer an applicable criterion for analyzing whether a document should be withheld from public disclosure. Nevertheless, 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.


- (5) Westinghouse has policies in place to identify proprietary information. 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.

- (6) The attached submittal contains proprietary information throughout, for the reasons set forth in Sections 5(a) and (c) of this Affidavit. Accordingly, a redacted version would be of no value to the public.

I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 2/5/2021


Zachary S. Harper, Manager
Licensing Engineering

Enclosure 5

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**Westinghouse Affidavit CAW-21-5150, Revision 0, Proprietary Information Notice, and
Copyright in support of WNA-CN-00572-CWTR3, Revision 1 (Enclosure 3)**

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I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 2/12/2021


Zachary S. Harper, Manager
Licensing Engineering