



*Pacific Gas and  
Electric Company*

**Lawrence F. Womack**  
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November 16, 2001

PG&E Letter DCL-01-117

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

Docket No. 50-275, OL-DPR-80  
Docket No. 50-323, OL-DPR-82  
Diablo Canyon Units 1 and 2  
Transmittal of Revision 1 of WCAP-15573 (Proprietary) and WCAP-15574  
(Nonproprietary), "Depth-Based SG Tube Repair Criteria for Axial PWSCC at  
Dented TSP Intersections – Alternate Burst Pressure Calculation"

Dear Commissioners and Staff:

On November 13, 2001, PG&E submitted Supplement 3 to License Amendment Request (LAR) 00-06, PG&E letter DCL-01-110, "Alternate Repair Criteria for Axial PWSCC at Dented Intersections in Steam Generator Tubing." LAR 00-06 included proposed technical specifications (TS) for a depth based steam generator tube alternate repair criteria (ARC) for axial primary water stress corrosion cracking indications at dented tube support plate intersections.

The following Westinghouse Electric Company, LLC (Westinghouse) topical reports provide the technical basis for the ARC, and are transmitted as Enclosure 1 to this letter.

- WCAP-15573, Revision 1 (Proprietary Class 2), "Depth-Based SG Tube Repair Criteria for Axial PWSCC at Dented TSP Intersections – Alternate Burst Pressure Calculation," October 2001
- WCAP-15574, Revision 1 (Nonproprietary Class 3), "Depth-Based SG Tube Repair Criteria for Axial PWSCC at Dented TSP Intersections – Alternate Burst Pressure Calculation," October 2001

WCAP-15573, Revision 1, is incorporated by reference in the proposed TS in Supplement 3 to LAR 00-06.

WCAP-15573, Revision 1, contains information proprietary to Westinghouse. Accordingly, Enclosure 2 includes a Westinghouse authorization letter, CAW-01-1496, an accompanying affidavit, a Proprietary Information Notice, and a

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Copyright Notice. The affidavit is signed by Westinghouse, the owner of the information. The affidavit sets forth the basis on which the Westinghouse proprietary information contained in WCAP-15573, Revision 1, may be withheld from public disclosure by the Commission, and it addresses with specificity the considerations listed in paragraph (b)(4) of 10 CFR 2.790 of the Commission's regulations. PG&E requests that the Westinghouse proprietary information be withheld from public disclosure in accordance with 10 CFR 2.790.

Correspondence with respect to the copyright or proprietary aspects of the application for withholding related to the Westinghouse proprietary information or the Westinghouse affidavit provided in Enclosure 2 should reference Westinghouse Letter CAW-01-1496 and be addressed to H. A. Sepp, Manager of Regulatory and Licensing Engineering, Westinghouse Electric Company, LLC, P. O. Box 355, Pittsburgh, Pennsylvania 15230-0355.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. F. Womack', written in a cursive style.

Lawrence F. Womack  
Vice President, Nuclear Services

cc: Edgar Bailey, DHS w/o Enclosure 1  
Ellis W. Merschoff w/o Enclosure 1  
David L. Proulx w/o Enclosure 1  
Girija S. Shukla  
Diablo Distribution w/o Enclosure 1 or 2

Enclosures

- **WCAP-15573, Revision 1 (Proprietary Class 2), "Depth-Based SG Tube Repair Criteria for Axial PWSCC at Dented TSP Intersections – Alternate Burst Pressure Calculation," October 2001**
- **WCAP-15574, Revision 1 (Nonproprietary Class 3), "Depth-Based SG Tube Repair Criteria for Axial PWSCC at Dented TSP Intersections – Alternate Burst Pressure Calculation," October 2001**

- **Westinghouse Electric Company, LLC Application for Withholding Proprietary Information from Public Disclosure (H. A. Sepp to Document Control Desk, Attention: Mr. Samuel J. Collins), CAW-01-1496, dated November 5, 2001, including Affidavit**
- **Proprietary Information Notice**
- **Copyright Notice**



Westinghouse Electric Company, LLC

Box 355  
Pittsburgh Pennsylvania 15230-0355

November 5, 2001

CAW-01-1496

Document Control Desk  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Attention: Mr. Samuel J. Collins

**APPLICATION FOR WITHHOLDING PROPRIETARY  
INFORMATION FROM PUBLIC DISCLOSURE**

Subject "Depth-Based SG Tube Repair Criteria for Axial PWSCC at Dented TSP Intersections –  
Alternate Burst Pressure Calculation" WCAP-15573, Revision 1 (Proprietary) October 2001

Dear Mr. Collins:

The proprietary information for which withholding is being requested in the above-referenced responses to RAIs which are further identified in Affidavit CAW-01-1496 signed by the owner of the proprietary information, Westinghouse Electric Company LLC. The affidavit, which accompanies this letter, 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 10 CFR Section 2.790 of the Commission's regulations.

Accordingly, this letter authorizes the utilization of the accompanying Affidavit by Pacific Gas & Electric.

Correspondence with respect to the proprietary aspects of the application for withholding or the Westinghouse affidavit should reference this letter, CAW-01-1496 and should be addressed to the undersigned.

Very truly yours,

H. A. Sepp, Manager  
Regulatory and Licensing Engineering

Enclosures

cc: M. Scott / NRC

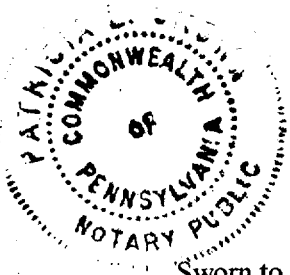
AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

SS

COUNTY OF ALLEGHENY:

Before me, the undersigned authority, personally appeared H. A. Sepp, 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 Company LLC ("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 handwritten signature of H. A. Sepp in black ink, written over a horizontal line.

H. A. Sepp, Manager  
Regulatory and Licensing Engineering

Sworn to and subscribed  
before me this 5th day  
of November, 2001

A handwritten signature of Patricia L. Crown in black ink.

Notary Public

Notarial Seal  
Patricia L. Crown, Notary Public  
Monroeville Boro, Allegheny County  
My Commission Expires Feb. 7, 2005

Member, Pennsylvania Association of Notaries

- (1) I am Manager, Regulatory and Licensing Engineering, in Nuclear Services at Westinghouse Electric Company LLC ("Westinghouse"), 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 and rulemaking proceedings, and am authorized to apply for its withholding on behalf of Westinghouse.
- (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 the Westinghouse Electric Company LLC 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.

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 of 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 10 CFR 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 or available information has not been previously employed in the same original manner or method 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 "Depth-Based SG Tube Repair Criteria for Axial PWSCC at Dented TSP Intersections – Alternate Burst Pressure Calculation" WCAP-15573, Revision 1 (Proprietary) October 2001 for information in support of Pacific Gas & Electric's submittal to the Commission, transmitted via Pacific Gas & Electric letter and Application for Withholding Proprietary Information from Public Disclosure, Mr. H. A. Sepp, Manager, Regulatory and Licensing Engineering, Westinghouse to the Document Control Desk, Attention Mr. Samuel J. Collins. The proprietary information was provided by Westinghouse Electric Company LLC.

This information is part of that which will enable Westinghouse to:

- (a) Justify the process for steam generator inspections.
- (b) Assist its customer to obtain a license.

Further this information has substantial commercial value as follows:

- (a) The information reveals the distinguishing aspects of a process 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, 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.

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 calculation, evaluation 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.

The development of the technology described in part by the information is the result of applying the knowledge of many years of experience in an intensive Westinghouse effort and the expenditure of a considerable sum of money.

In order for competitors of Westinghouse to duplicate this information, similar technical programs would have to be performed and a significant manpower effort, having the requisite talent and experience, would have to be expended for developing analytical methods and performing tests.

Further the deponent sayeth not.

## **Proprietary Information Notice**

Transmitted herewith are proprietary and/or non-proprietary versions of documents furnished to the NRC in connection with requests for generic and/or plant-specific review and approval.

In order to conform to the requirements of 10 CFR 2.790 of the Commission's regulations concerning the protection of proprietary information so submitted to the NRC, the information which is proprietary in the proprietary versions is contained within brackets, and where the proprietary information has been deleted in the non-proprietary versions, only the brackets remain (the information that was contained within the brackets in the proprietary versions having been deleted). The justification of claiming the information so designated as proprietary is indicated in both versions by means of lower case letters (a) through (f) contained within parentheses located as a subscript immediately following the brackets enclosing each item of information being identified as proprietary or in the margin opposite such information. These lower cases letters refer to the types of information Westinghouse customarily holds in confidence identified in Sections (4)(ii)(a) through (4)(ii)(f) of the affidavit accompanying this transmittal pursuant to 10 CFR 2.790(b)(1).

## **Copyright Notice**

The reports transmitted herewith each bear a Westinghouse copyright notice. The NRC is permitted to make the number of copies of the information contained in these reports which are necessary for its internal use in connection with generic and plant-specific reviews and approvals as well as the issuance, denial, amendment, transfer, renewal, modification, suspension, revocation or violation of a license, permit, order or regulation subject to the requirements of 10 CFR 2.790 regarding restrictions on public disclosure to the extent such information has been identified as proprietary by Westinghouse, copyright protection notwithstanding. With respect to the non-proprietary versions of these reports, the NRC is permitted to make the number of copies beyond those necessary for its internal use which are necessary in order to have one copy available for public viewing in the appropriate dockets files in the public document room in Washington, D. C., and in local public document rooms as may be required by NRC regulations if the number of copies submitted is insufficient for this purpose. Copies made by the NRC must include the copyright notice in all instances and the proprietary notice if the original was identified as proprietary.