



Westinghouse Electric Company  
Nuclear Power Plants  
1000 Westinghouse Drive  
Cranberry Township, Pennsylvania 16066  
USA

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U S Nuclear Regulatory Commission  
Washington, DC 20555-0001

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e-mail: russpa@westinghouse.com

Our ref: DCP\_NRC\_003238

February 18, 2013

**Subject:** Submittal of Export Control Documents to Support the Meeting with Southern Nuclear Operating Company, South Carolina Electric and Gas and Westinghouse Electric Company on the AP1000 Squib Valve Issues

Please find enclosed the presentation package that contains the proprietary presentation which also contains material subjected to export control laws of the United States. The third document titled "Closed Meeting – Squib Valve Overview (Non-Proprietary Version) (Export Control Portion)" contains the redacted proprietary presentation.

These documents contain information which is proprietary to Westinghouse, SPX Corporation and Universal Propulsion Company (doing business as United Technologies Aerospace Systems – Interiors Fairfield)". Accordingly, we request that this information be withheld from public disclosure. In addition portions of Closed Meeting – Squib Valve Overview (Proprietary Version) (Export Control Portion) is subjected to export control laws including the Export Administration Regulations (EAR), 15 CFR Part 730 and the Nuclear Regulatory Commission (NRC) 10 CFR 110. Transfer, retransfer or disclosure of this data by any means to a non-U.S. person (individual or company) whether in the United States or abroad, without any required export license or other approval from the U.S. Government is prohibited.

In conformance with the requirements of 10 CFR Section 2.390, as amended, of the Commission's regulations, also enclosed is an Application for Withholding from Public Disclosure, accompanying affidavit, Proprietary Information Notice, and Copyright Notice.

Correspondence with respect to the proprietary aspects of this application for withholding or the accompanying affidavit should reference AW-13-3608 and should be addressed to J. A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company LLC, Suite 428, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania 16066.

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NRD

Questions or requests for additional information related to the enclosed presentations should be directed to Ronald Wessel at 412-374-4023.

Very truly yours,



Paul A. Russ  
Director, U.S. Licensing

/Enclosures

1. AW-13-3608 "Application for Withholding Proprietary Information from Disclosure," dated February 18, 2013
2. AW-13-3608, Affidavit, Proprietary Information Notice, Copyright Notice dated February 18, 2013
3. Closed Meeting – Squib Valve Overview (Proprietary Version) (Export Control Portion) (APP-GW-GLR-604 Revision 0)
4. Transmittal Approval letter from SPX Corporation
5. Transmittal Approval letter from Universal Propulsion Company

cc: Ravindra Joshi - U.S. NRC  
R. Wessel - Westinghouse  
M. Fetting - Westinghouse  
R. DeLong - Westinghouse  
P. Russ - Westinghouse  
S. McDonald - Universal Propulsion Company  
T. Bierman - SPX Corporation  
A. Aughtman - Southern Company  
A. Monroe - South Carolina Electric and Gas

ENCLOSURE 1

AW-13-3608

APPLICATION FOR WITHHOLDING  
PROPRIETARY INFORMATION FROM DISCLOSURE



Westinghouse Electric Company  
Nuclear Power Plants  
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Cranberry Township, Pennsylvania 16066  
USA

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

Direct tel: 412-374-5290  
Direct fax: 724-940-8505  
e-mail: sisk1rb@westinghouse.com

Our ref: AW-13-3608

February 18, 2013

APPLICATION FOR WITHHOLDING PROPRIETARY  
INFORMATION FROM PUBLIC DISCLOSURE

Subject: Review of Proprietary Documents to Support the Meeting with Southern Nuclear Operating Company, South Carolina Electric and Gas and Westinghouse Electric Company on the AP1000 Squib Valve Issues

The Application for Withholding is submitted by Westinghouse Electric Company, LLC (Westinghouse), pursuant to the provisions of Paragraph (b) (1) of Section 2.390 of the Commission's regulations. It contains commercial strategic information proprietary to Westinghouse and customarily held in confidence.

The proprietary material for which withholding is being requested is included in the proprietary versions of the subject reports. In conformance with 10 CFR Section 2.390, Affidavit AW-13-3608 accompanies this Application for Withholding, setting forth the basis on which the proprietary information may be withheld from public disclosure.

Accordingly, it is respectfully requested that the subject information which is proprietary to Westinghouse be withheld from public disclosure in accordance with 10 CFR Section 2.390 of the Commission's regulations.

The material for which withholding is being requested is also subjected to export control laws including the Export Administration Regulations (EAR), 15 CFR Part 730 and the Nuclear Regulatory Commission (NRC) 10 CFR 110. Transfer, retransfer or disclosure of this data by any means to a non-U.S. person (individual or company) whether in the United States or abroad, without any required export license or other approval from the U.S. Government is prohibited.

Correspondence with respect to the proprietary aspects of this application for withholding or the accompanying affidavit should reference AW-13-3608 and should be addressed to J. A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company LLC, Suite 428, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania 16066.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Robert B. Sisk'.

Robert B. Sisk  
Program Manager Korea/UAE

ENCLOSURE 2

Affidavit

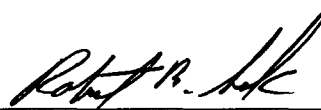
AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

SS

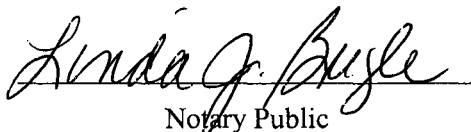
COUNTY OF BUTLER:

Before me, the undersigned authority, personally appeared Robert B. Sisk, 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:



Robert B. Sisk  
Program Manager Korea/UAE

Sworn to and subscribed  
before me this 18<sup>th</sup> day  
of February 2013.



Notary Public

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Linda J. Buyle, Notary Public  
City of Pittsburgh, Allegheny County  
My Commission Expires June 18, 2013  
Member, Pennsylvania Association of Notaries

- (1) I am Program Manager Korea/UAE, 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 rule making proceedings, and am authorized to apply for its withholding on behalf of Westinghouse, SPX Corporation and Universal Propulsion Company.
- (2) I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.390 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 2.390 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, SPX Corporation and Universal Propulsion Company.
  - (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 constitute Westinghouse policy and provide 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) This document is subjected to the EAR, ECCN 1E001. This information is subjected to the export control laws of the United States, specifically including the Export Administration Regulations (EAR), 10 CFR Part 730 et seq.
- (h) This document is subjected to the U.S. NRC. This information is subjected to the export control laws of the United States, specifically including the Nuclear Regulatory Commission Regulations (NRC), 10 CFR Part 110.

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 that 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.
- (g) This document is subjected to the EAR, ECCN 1E001. This information is subjected to the export control laws of the United States, specifically including the Export Administration Regulations (EAR), 10 CFR Part 730 et seq. Transfer, retransfer or disclosure of this data by any means to a non-U.S. person (individual or company) whether in the United States or aboard, without any required export license or other approval from the U.S. Government is prohibited.
- (h) This document is subjected to the U.S. NRC. This information is subjected to the export control laws of the United States, specifically including the Nuclear Regulatory Commission Regulations (NRC), 10 CFR Part 110. Transfer, retransfer or disclosure of this data by any means to a non-U.S. person (individual or company) whether in the United States or aboard, without any

required export license or other approval from the U.S. Government is prohibited.

- (i) This document is contains Third Party Proprietary Information
- (iii) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.390; 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 included in Review of Proprietary Documents to Support the Meeting with Southern Nuclear Operating Company, South Carolina Electric and Gas and Westinghouse Electric Company on the AP1000 Squib Valve Issues. These documents are being transmitted by Westinghouse letter (DCP\_NRC\_003238) and Application for Withholding Proprietary Information from Public Disclosure in support of Westinghouse and sub-vendor activities. The proprietary information as submitted by Westinghouse is expected to be applicable in other licensee submittals in response to certain NRC requirements for justification of compliance with regulations.

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

- (a) Manufacture and deliver products to utilities based on proprietary system designs.
- (b) Advance the AP1000 Design and reduce the licensing risk for the application of the AP1000 Design Certification
- (c) Determine compliance with regulations and standards
- (d) Establish design requirements and specifications for the system.

Further this information has substantial commercial value as follows:

- (a) Westinghouse plans to sell the use of similar information to its customers for purposes of plant construction and operation.
- (b) Westinghouse can sell support and defense of safety systems based on the technology in the reports.
- (c) The information requested to be withheld reveals the distinguishing aspects of an approach and schedule which was developed by Westinghouse.

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 digital technology safety systems 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 results 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.

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 2.390 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 for claiming the information so designated as proprietary is indicated in both versions by means of lower case letters (a) through (h) located as a superscript immediately following the brackets enclosing each item of information being identified as proprietary or in the margin opposite such information. These lower case letters refer to the types of information Westinghouse customarily holds in confidence identified in Sections (4)(ii)(a) through (4)(ii)(h) of the affidavit accompanying this transmittal pursuant to 10 CFR 2.390(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 2.390 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 docket files in the public document room in Washington, DC 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.

### **EXPORT CONTROL NOTICE**

This document is subjected to the EAR, ECCN 1E001. This information is subjected to the export control laws of the United States, specifically including the Export Administration Regulations (EAR), 10 CFR Part 730 et seq. Transfer, retransfer or disclosure of this data by any means to a non-U.S. person (individual or company) whether in the United States or aboard, without any required export license or other approval from the U.S. Government is prohibited.

This document is subjected to the U.S. NRC. This information is subjected to the export control laws of the United States, specifically including the Nuclear Regulatory Commission Regulations (NRC), 10 CFR Part 110. Transfer, retransfer or disclosure of this data by any means to a non-U.S. person (individual or company) whether in the United States or aboard, without any required export license or other approval from the U.S. Government is prohibited.

ENCLOSURE 4

Transmittal Approval Letter from SPX Corporation



Thomas K. Bierman  
DIRECTOR QUALITY – FLOW TECHNOLOGY AMERICAS

SPX\_C6QD\_2088

January 18, 2013

Withholding Proprietary  
Information from Public Disclosure

Subject: Transmittal of Proprietary Documents to Support the meeting with Southern Nuclear Operating Company, South Carolina Electric and Gas and Westinghouse Electric Company on the AP1000 Squib Valve Issues

The proprietary information for which withholding is being requested by Westinghouse Electric Company via letter DCP\_NRC\_003231 contains material that is considered proprietary by SPX Corporation. SPX Corporation has reviewed and concur that the presentation material contained in the Enclosures to letter DCP\_NRC\_003231 in regard to the proprietary sections of the material that have been properly marked in the documents. The affidavit accompanying the Westinghouse 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 2.390 of the Commission's regulations.

Accordingly, this letter authorizes the Westinghouse Electric Company to transmit the SPX Corporation proprietary information via the affidavit contained in Westinghouse letter DCP\_NRC\_003231.

Sincerely,

A handwritten signature in black ink, appearing to read "TK Bierman", with a stylized flourish at the end.

Thomas K. Bierman

Thomas K. Bierman  
Director, Quality - Americas  
SPX FLOW TECHNOLOGY

13320 BALLANTYNE CORPORATE PLACE  
CHARLOTTE, NORTH CAROLINA 28277  
UNITED STATES

TEL | 704 | 808 | 3077  
MOB | 704 | 340 | 4906  
TOM.BIERMAN@SPX.COM

[www.spx.com](http://www.spx.com)

ENCLOSURE 5

Transmittal Approval Letter from Universal Propulsion Company



# UTC Aerospace Systems

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Universal Propulsion Company, Inc.  
UTC Aerospace Systems  
3530 Branscombe Road, P.O. Box KK  
Fairfield, CA 94533  
[www.utcaerospacesystems.com](http://www.utcaerospacesystems.com)

Tel: 707-422-1880 ext. 1867  
[Jet.flores@utas.utc.com](mailto:Jet.flores@utas.utc.com)

January 21, 2013

**Withholding Proprietary  
Information from Public Disclosure**

Reference: Westinghouse Purchase Order 4500452954 (UPCO SO 2331617)

Subject: Transmittal of Proprietary Documents to Support the meeting with Southern Nuclear Operating Company, South Carolina Electric and Gas and Westinghouse Electric Company on the AP1000 Squib Valve Issues

The proprietary information for which withholding is being requested by Westinghouse Electric Company via letter DCP\_NRC\_003231 contains material that is considered proprietary by Universal Propulsion Company (UPCO), dba United Technology Aerospace Systems – Interiors Fairfield. UPCO has reviewed and concur that the presentation material contained in the Enclosures to letter DCP\_NRC\_003231 in regard to the proprietary sections of the material have been properly marked in the documents. The affidavit accompanying the Westinghouse letter sets forth the basis on which the information may be withheld from public disclosure by the Commission and address with specificity the considerations listed in paragraph (b) (4) of 10 CFR Section 2.390 of the Commission's regulations.

Accordingly, this letter authorizes the Westinghouse Electric Company to transmit the UPCO proprietary information via the affidavit contained in Westinghouse letter DCP\_NRC\_003231.

Very truly yours,

Jet Flores  
Contracts Manager  
Interiors-Fairfield  
UTC Aerospace Systems