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 FACIL: 50-261 H.B. Robinson Plant, Unit 2, Carolina Power & Light C 05000261
 AUTH. NAME AUTHOR AFFILIATION
 KRICH, R.M. Carolina Power & Light Co. *See WCAP 14209*
 RECIP. NAME RECIPIENT AFFILIATION
 Document Control Branch (Document Control Desk)

SUBJECT: Forwards proprietary WCAP-14209, "Evaluation of Effects of Insurge/Outsurge Transients at Integrity of Pressurizer at HB Robinson Unit 2," for Oct 1994. Westinghouse rept withheld (ref 10CFR2.790(b)(4)).

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Carolina Power & Light Company
Robinson Nuclear Plant
PO Box 790
Hartsville SC 29551

Robinson File No.: 13510
Serial: RNP/94-1867

OCT 28 1994

United States Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC 20555

H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2
DOCKET NO. 50-261/LICENSE NO. DPR-23
SUBMITTAL OF WCAP-14209, "EVALUATION OF THE EFFECTS OF
INSURGE / OUTSURGE TRANSIENTS ON THE INTEGRITY OF THE PRESSURIZER
AT H. B. ROBINSON UNIT 2"

Gentlemen:

As discussed during an enforcement conference held at the NRC Region II offices on October 17, 1994, Carolina Power & Light Company is submitting the enclosed copy of WCAP-14209, "Evaluation of the Effects of Insurge/Outsurge Transients on the Integrity of the Pressurizer at H. B. Robinson Unit 2."

Also enclosed are a Westinghouse authorization letter, CAW-94-747, accompanying affidavit, Proprietary Information Notice, and Copyright Notice. Note that since WCAP-14209 was not intended to be submitted to the NRC for review, a non-proprietary version was not prepared, and hence, the enclosed report does not include the appropriate markings to clearly delineate the specific information which is proprietary.

As WCAP-14209 contains information proprietary to Westinghouse Electric Corporation, it is supported by an affidavit signed by Westinghouse, the owner of the information. 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 10 CFR 2.790(b)(4).

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Highway 151 and SC 23 Hartsville SC

APD 11

RNP/94-1867

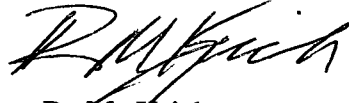
Page 2 of 2

Accordingly, Westinghouse Electric Corporation respectfully requests that the information which is proprietary to Westinghouse be withheld from public disclosure in accordance with 10 CFR 2.790.

Correspondence with respect to the copyright or proprietary aspects of the enclosed WCAP or the supporting Westinghouse Affidavit should reference CAW-94-747 and should be addressed to N. J. Liparulo, Manager of Nuclear Safety Regulatory & Licensing Activities, Westinghouse Electric Corporation, P.O. Box 355, Pittsburgh, Pennsylvania 15230-0355

Questions regarding this matter may be referred to Mr. K. R. Jury at (803) 383-1363.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'R. M. Krich', is written over a horizontal line.

R. M. Krich
Manager - Regulatory Affairs

Enclosures

- c: Mr. S. D. Ebnetter, Regional Administrator, USNRC, Region II
- Ms. B. L. Mozafari, USNRC Project Manager, HBRSEP
- Mr. W. T. Orders, USNRC Senior Resident Inspector, HBRSEP

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 for 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 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)(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 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.

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

SS

COUNTY OF ALLEGHENY:

Before me, the undersigned authority, personally appeared Brian A. McIntyre, 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:



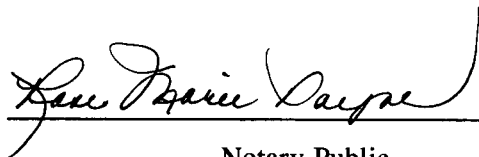
Brian A. McIntyre, Manager

Advanced Plant Safety and Licensing

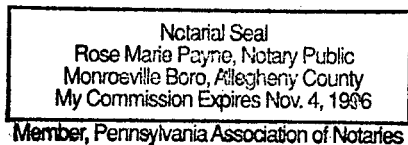
Sworn to and subscribed

before me this 27 day

of October, 1994



Notary Public



- (1) I am Manager, Advanced Plant Safety and Licensing, in the Advanced Technology Business Area, of the 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 and rulemaking proceedings, and am authorized to apply for its withholding on behalf of the Westinghouse Energy Systems Business Unit.
- (2) I am making this Affidavit in conformance with the provisions of 10CFR 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 Energy Systems Business Unit 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 10CFR 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 "Evaluation of the Effects of Insurge/Outsurge Transients on the Integrity of the Pressurizer at H. B. Robinson Unit 2", WCAP-14209 (Proprietary), October, 1994, being transmitted by the Carolina Power and Light Company, (CPL) letter and Application for Withholding Proprietary Information from Public Disclosure, Mr. R. M. Krick, Manager - Regulatory Affairs to Document Control Desk, Attention Mr. William T. Russell. The proprietary information as submitted for use by Carolina Power Light Company for the H. B. Robinson Unit 2 is

expected to be applicable in other licensee submittals in response to certain NRC requirements for justification of pressurizer surge line transients.

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

- (a) Provide documentation of the analyses and methodology used to evaluate revised transients for the pressurizer based on plant monitoring data.
- (b) Demonstrate the structural integrity of the pressurizer under thermal stratification conditions.

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 demonstrating adequate design life for pressurizers.
- (b) Westinghouse can sell support and defense of the technology to its customers in the licensing process.

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 analytical documentation 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 for the development verification and licensing of adequate methods for evaluation of this phenomenon.

Further the deponent sayeth not.

PROPRIETARY INFORMATION

NOTICE

THE ATTACHED DOCUMENT CONTAINS OR IS CLAIMED TO CONTAIN PROPRIETARY INFORMATION AND SHOULD BE HANDLED AS NRC SENSITIVE UNCLASSIFIED INFORMATION. IT SHOULD NOT BE DISCUSSED OR MADE AVAILABLE TO ANY PERSON NOT REQUIRING SUCH INFORMATION IN THE CONDUCT OF OFFICIAL BUSINESS AND SHOULD BE STORED, TRANSFERRED, AND DISPOSED OF BY EACH RECIPIENT IN A MANNER WHICH WILL ASSURE THAT ITS CONTENTS ARE NOT MADE AVAILABLE TO UNAUTHORIZED PERSONS.

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