



April Rice
Manager
Nuclear Licensing
New Nuclear Deployment

June 25, 2015
NND-15-0370

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

Subject: Virgil C. Summer Nuclear Station Units 2 and 3
Docket Numbers 52-027 and 52-028
Request for a Commission-Approved Simulation Facility – Response to a
Request for Additional Information

- References: (1) Letter NND-15-0026, "Request for a Commission-Approved
Simulation Facility," dated January 16, 2015
- (2) Letter NND-15-0199, "Request for a Commission-Approved
Simulation Facility – Revision 1," dated March 30, 2015
- (3) Letter NND-15-0273, "Additional Information Related to a Request
for a Commission-Approved Simulation Facility," dated April 28,
2015

Pursuant to 10 CFR 55.46(b), South Carolina Electric & Gas Company (SCE&G) requested a Commission-Approved Simulation Facility for Virgil C. Summer Nuclear Station (VCS) Units 2 and 3 (References 1, 2, and 3). This letter provides a response to an NRC draft Request for Additional Information (RAI) provided by email dated May 7, 2015.

Enclosed are:

1. One Copy of "Request for Additional Information pursuant to the VCS request for a Commission Approved Simulator" (Proprietary) – Enclosure 4.
2. One Copy of "Request for Additional Information pursuant to the VCS request for a Commission Approved Simulator" (Non-Proprietary) – Enclosure 3.

Also enclosed is the Westinghouse Application for Withholding Proprietary Information from Public Disclosure CAW-15-4179, accompanying Affidavit, Proprietary Information Notice, and Copyright Notice – Enclosure 1.

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NRO

As Enclosure 4 contains information proprietary to Westinghouse Electric Company LLC, 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 Commission and addresses with specificity the considerations listed in paragraph (b)(4) of Section 2.390 of the Commission's regulations.

Accordingly, it is respectfully requested 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 copyright or proprietary aspects of the items listed above or the supporting Affidavit should reference CAW-15-4179 and should be addressed to James A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company, 1000 Westinghouse Drive, Building 3 Suite 310, Cranberry Township, Pennsylvania 16066.

Enclosure 2 is an SCE&G affidavit supporting the request to withhold proprietary information under 10 CFR 2.390.

This letter contains no regulatory commitments.

If there are any questions regarding this request, please contact me by telephone at (803) 941-9858, or by email at arice@scana.com.

Sincerely,



April Rice
Manager, Nuclear Licensing
New Nuclear Deployment

AR/gs

Enclosures:

1. Westinghouse Proprietary Information Notice, Copyright Notice, and Affidavit for Withholding
2. SCE&G Affidavit for Withholding
3. Redacted Response to RAls (non-proprietary)
4. Un-Redacted Response to RAls (proprietary)

c (with enclosures):

Denise McGovern
Chandu Patel
DCRM-EDMS@SCANA.COM

c (without enclosures):

Victor McCree – Region II Regional Administrator
Marion Cherry - Santee Cooper
Stephen A. Byrne – SCE&G
Jeffrey B. Archie – SCE&G
Ronald A. Jones – SCE&G
Rick Easterling - Westinghouse
Joel Hjelseth – Westinghouse
Brian McIntyre – Westinghouse
Michael Frankle – Westinghouse
Brian Bedford-Westinghouse
Joseph Cole – Westinghouse
Patrick Young – Westinghouse
Ken Hollenbach – CB&I Stone & Webster
Alvis J. Bynum – SCE&G
Kathryn M. Sutton – Morgan Lewis
Curtis Castell – CB&I Stone & Webster
Chuck Baucom - CB&I Stone & Webster
AJ Marciano – CB&I Stone & Webster
Sean Burk - CB&I Stone & Webster
Benny Buras – CB&I Stone & Webster
Charlie White – CB&I Stone & Webster
Unit 1 NRC Resident Inspector
Units 2/3 NRC Resident Inspector
Andy Barbee
Paul Mothena
Pat Leary
Jody Lawter
Gene Guthrie (NRC)
Garrett Sanders
VCSummer2&3ProjectMail@cbi.com
vcsummer2&3project@westinghouse.com
VCSNNDCorrespondence@scana.com

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**South Carolina Electric and Gas Company
Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3**

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Enclosure 1

Westinghouse Proprietary Information Notice, Copyright Notice, and Affidavit for Withholding

(This enclosure contains 9 pages, including this cover sheet.)

June 16, 2015

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 (f) 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 2.390(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.



Westinghouse Electric Company
New Plants and Major Projects
1000 Westinghouse Drive, Building 1
Cranberry Township, Pennsylvania 16066
USA

Document Control Desk
U S Nuclear Regulatory Commission
Washington, DC 20852-2738

Direct tel: (412) 374-3382
Direct fax: (724) 940-8519
e-mail: russpa@westinghouse.com
Proj letter: VSL_VSG_000306

CAW-15-4179
6/16/2015

APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE

Subject: Transmittal of "Request for Additional Information (RAI) pursuant to the VCS request for a Commission Approved Simulator"

The proprietary information for which withholding is being requested in the above-referenced report is further identified in Affidavit CAW-15-4179 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 2.390 of the Commission's regulations.

Accordingly, this letter authorizes the utilization of the accompanying Affidavit by South Carolina Electric & Gas Company (SCE&G).

Correspondence with respect to the proprietary aspects of the Application for Withholding or the Westinghouse Affidavit should reference CAW-15-4179, and should be addressed to James A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company, 1000 Westinghouse Drive, Building 3 Suite 310, Cranberry Township, Pennsylvania 16066.

Very truly yours,

A handwritten signature in cursive script, reading 'Paul A. Russ'.

Paul A. Russ, Director
U.S. Licensing

cc:	Richard Paese	Westinghouse
	Sarah DiTommaso	Westinghouse
	Brian McIntyre	Westinghouse
	Steven Radomski	Westinghouse
	April Rice	SCANA
	Garrett Sanders	SCANA
	Paul Mothena	SCANA
	Patrick Leary	SCANA

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AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

ss

COUNTY OF BUTLER:

I, Paul A. Russ, am 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 my knowledge, information, and belief.

A handwritten signature in black ink, appearing to read "Paul A. Russ", written over a horizontal line.

Paul A. Russ, Director

U.S. Licensing

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- (1) I am Director, U.S. Licensing, 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.
- (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 Proprietary Information from Public Disclosure 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.
 - (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

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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.
- (iii) 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.

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- (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.
- (iv) 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.
- (v) 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.
- (vi) The proprietary information sought to be withheld in this submittal is that which is appropriately marked in "Request for Additional Information pursuant to the VCS request for a Commission Approved Simulator" (Proprietary), for submittal to the Commission, being transmitted by South Carolina Electric & Gas Company (SCE&G) letter and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information is submitted to support the review of the V.C. Summer commission approved simulator.

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- (a) This information is part of that which will enable Westinghouse to:
 - (i) Manufacture and deliver products to utilities based on proprietary designs
- (b) Further this information has substantial commercial value as follows:
 - (i) Westinghouse plans to sell the use of similar information to its customers for the purpose of licensing new nuclear power stations.
 - (ii) Westinghouse can sell support and defense of industry guidelines and acceptance criteria for plant-specific applications.
 - (iii) The information requested to be withheld reveals the distinguishing aspects of a methodology 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 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.

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.

Document Control Desk
NND-15-0370

**South Carolina Electric and Gas Company
Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3**

NND-15-0370

Enclosure 2

SCE&G Affidavit

(This enclosure contains 3 pages, including this cover sheet.)

Affidavit of April R. Rice

1. My name is April R. Rice. I am the Manager, Nuclear Licensing, for South Carolina Electric and Gas Company (SCE&G). I have been delegated the function of reviewing proprietary information sought to be withheld from public disclosure and am authorized to apply for its withholding on behalf of SCE&G.
2. I am making this affidavit on personal knowledge, in conformance with the provisions of 10 CFR Section 2.390 of the Commission's regulations, and in conjunction with SCE&G's filings on dockets 52-027 and 52-028 requesting a Commission-Approved Simulation Facility. I have personal knowledge of the criteria and procedures used by SCE&G to designate information as a trade secret, privileged, or as confidential commercial or financial information.
3. Based on the criteria in 10 CFR 2.390(a)(4), this affidavit seeks to withhold from public disclosure Enclosure 4 of SCE&G's Letter, Request for a Commission-Approved Simulation Facility – Response to a Request for Additional Information, NND-15-0370.
4. The following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.
 - a. *The information sought to be withheld from public disclosure has been held in confidence by SCE&G and Westinghouse Electric Company.*
 - b. *The information is of a type customarily held in confidence by SCE&G and Westinghouse and not customarily disclosed to the public.*
 - c. *The release of the information might result in the loss of an existing or potential competitive advantage to SCE&G and/or Westinghouse.*
 - d. *Release of the information may harm SCE&G because SCE&G has a contractual relationship with the Westinghouse Electric Company regarding proprietary information. SCE&G is contractually obligated to seek confidential and proprietary treatment of the information.*
5. To satisfy the requirements of 10 CFR 2.390(b)(1)(i)(B) and (b)(1)(ii)(E), a non-proprietary version of Enclosure 4 can be found in Enclosure 3 of SCE&G's Letter, Request for a Commission-Approved Simulation Facility – Response to a Request for Additional Information, NND-15-0370. Withheld information is bracketed with superscripts of [a, b, and/or c], to indicate the following reasons for withholding:
 - (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.

6. 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.

7. To the best of my knowledge and belief, 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.

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

April R. Rice
April R. Rice

Executed on June 25, 2015
Date

SWORN and SUBSCRIBED to before me on this 25 day of June, [2015] in Fairfield county,
South Carolina

Tamela D Cohen

Notary Public

My Commission Expires:

