



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 20, 2018

Mr. Daniel G. Stoddard
Senior Vice President and
Chief Nuclear Officer
Innsbrook Technical Center
5000 Dominion Blvd
Glen Allen, VA 23060-6711

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION APPROVAL OF VIRGINIA ELECTRIC AND POWER COMPANY'S REQUEST FOR WITHOLDING INFORMATION FROM PUBLIC DISCLOSURE, REGARDING THE APPLICATION FOR SUBSEQUENT LICENSE RENEWAL OF SURRY POWER STATION, UNIT NOS. 1 AND 2 (EPID NOS. L-2018-RNW-0023 AND L-2018-RNW-0024)

Dear Mr. Stoddard,

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated October 16, 2018 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML18291A835), Virginia Electric And Power Company submitted two affidavits, for Framatome Inc, executed by Philip Opsal, dated June 14, 2017, and for Westinghouse, Electric Company LLC., by Paul Russ, dated June 12, 2018, requesting that the information contained in the following documents, respectively, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

- Topical Report ANP-3679P Revision 0 (FRAMATOME document 43-3679P-000), "Low Upper-Shelf Toughness Fracture Mechanics Analysis of Surry Units 1 and 2 Reactor Vessels for Levels A & B Service Loads at 80-Years," Framatome Inc.,
- Topical Report ANP-3680P Revision 0 (FRAMATOME document 43-3680P-000), "Low Upper-Shelf Toughness Fracture Mechanics Analysis of Surry Units 1 and 2 Reactor Vessels for Levels C & D Service Loads at 80-Years," Framatome Inc.,
- PWROG-17033-P Revision 1 "Update for Subsequent License Renewal: WCAP-13045, "Compliance to ASME Code Case N-481 of the Primary Loop Pump Casings of Westinghouse Type Nuclear Steam Supply Systems," Westinghouse, Electric Company LLC.,

A nonproprietary copy of your document and the staff's letter have been placed in the NRC's Public Document Room and added to the NRC Library at ADAMS Accession No. ML18291A834 (ANP-3679P) and ML18291A836 (ANP-3680P and PWROG-17033-P).

The affidavit for Framatome Inc. stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- The information for which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information."

- Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for Framatome Inc.
- The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for Framatome Inc. in product optimization or marketability.

The affidavit for Westinghouse, Electric Company LLC. stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- 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.
- 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.
- Use by our competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at our expense.
- 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.
- 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.
- The Westinghouse capacity to invest corporate assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.
- This information is part of that which will enable Westinghouse to perform reactor coolant loop pump casing fracture mechanics integrity evaluations for the subsequent license renewal program (80 years of service).
- This information has substantial commercial value. Westinghouse plans to sell the use of similar information to its customers for the purpose of performing reactor coolant loop pump casing fracture mechanics integrity evaluations for the subsequent license renewal program.
- Westinghouse can sell support and defense of industry guidelines and acceptance criteria for plant-specific applications.
- 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.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 9.17 and 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains trade secrets or confidential or privileged commercial or financial information and should be withheld from public disclosure.

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-4084, or by email at Emmanuel.Sayoc@nrc.gov.

Sincerely,

/RA/

Emmanuel Sayoc, Project Manager
License Renewal Project Branch
Division of Materials and License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-280 and 50-281

cc: Distribution via list serv

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION APPROVAL OF VIRGINIA ELECTRIC AND POWER COMPANY'S REQUEST FOR WITHOLDING INFORMATION FROM PUBLIC DISCLOSURE, REGARDING THE APPLICATION FOR SUBSEQUENT LICENSE RENEWAL OF SURRY POWER STATION, UNIT NOS. 1 AND 2 (EPID NOS. L-2018-RNW-0023 AND L-2018-RNW-0024)

DISTRIBUTION:

E-MAIL:

YEdmonds; NRR/DMLR
 AWu; NRR/DMLR
 ESayoc NRR/DMLR
 TTran; NRR, DMLR
 EOesterle; NRR/DMLR
 BBeasley; NRR/DMLR
 DAiley; NRR/DMLR
 SRuffin; NRR/DMLR
 SBloom; NRR/DMLR
 GWilson; NRR/DMLR
 JDonoghue; NRR/DMLR
 KCotton; NRR/DORL
 ASchiller, NRR/DORL
 RHall; NRR/DORL
 MMarkley; NRR/DORL
 BHarris; OGC

SBurnell; HQ/OPA
 DMcIntyre; HQ/OPA
 DAdams; OCA
 RHannah; RII/OPA
 JLedford; RII/OPA
 JPelchat; RII/ORA
 ELea; RII/ORA
 CRead; RII/DRP
 BCollins; RII/DRS
 BBonser; RII/DRS
 SDowney; RII/DRS
 PCooper; RII/DRS
 LBurkhart; OEDO

Paul.Aitken@dominionenergy.com
Tony.Banks@dominionenergy.com

ADAMS Accession No.: ML18351A257

***Concurrence via E-mail**

OFFICE	PM:MRPB:DMLR	LA:MRPB:DMLR	BC:MRPB:DMLR	PM:MRPB:DMLR
NAME	ESayoc*	SLent	EOesterle	ESayoc*
DATE	12/19/2018	12/17/2018	12/20/2018	12/20/2018

OFFICIAL RECORD COPY