



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

February 14, 2019

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

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
FOR NORTH ANNA POWER STATION, UNIT 2, RELATED TO INSERVICE  
INSPECTION ALTERNATIVE REQUEST N2-I4-NDE-007  
(EPID L-2018-LLR-0043)

Dear Mr. Stoddard:

By letter dated March 28, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18093B076), Virginia Electric and Power Company (the licensee) submitted a request for a proposed alternative to the requirements of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), Section XI, to the U.S. Nuclear Regulatory Commission (NRC) for the North Anna Power Station, Unit No. 2. Pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Paragraph 55a(z)(1), the licensee requested the NRC to authorize the use of an alternative to the examination frequency requirements of 10 CFR 50.55a(g)(6)(ii)(F) for certain steam generator welds, on the basis that the proposed alternative would provide an acceptable level of quality and safety.

Attachment 4 to that letter provided an affidavit dated March 6, 2018, executed by James A. Gresham, Manager, Regulatory Compliance, on behalf of Westinghouse Electric Company LLC, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

Calculation No. C-4520-00-03, Rev.1, "Crack Growth Analyses for NAPS Unit 2  
Steam Generator Outlet Nozzles," Dominion Engineering, Inc. (Proprietary)

A nonproprietary version of this document is available at ADAMS Accession No. ML18093B078.

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

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 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.
  - (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, 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 C-4520-00-03, Rev. 1, "Crack Growth Analyses for NAPS Unit 2 Steam Generator Outlet Nozzles," Dominion Engineering, Inc. (Proprietary), for submittal to the Commission, being transmitted by Dominion Energy letter. The proprietary information as submitted by Westinghouse is that associated with piping loads used as input to crack growth analysis, and may be used only for that purpose.
  - (a) This information is part of that which will enable Westinghouse to perform crack growth analysis, or other component structural analyses utilizing piping loads as input.

- (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 crack growth analysis, or other component structural analyses utilizing piping loads as input.
  - (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.

We have reviewed your application and the material in accordance with the requirements of 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 proprietary commercial information and should be withheld from public disclosure.

Therefore, Attachment 2 of your letter dated March 28, 2018, entitled "Crack Growth Analyses for NAPS Unit 2 Steam Generator Outlet Nozzles Calculation (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.

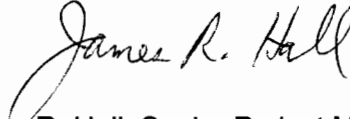
Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the 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, please contact me at (301) 415-4032, or via email at [Randy.Hall@nrc.gov](mailto:Randy.Hall@nrc.gov)

Sincerely,

A handwritten signature in black ink that reads "James R. Hall". The signature is written in a cursive style with a large, stylized "J" and "H".

James R. Hall, Senior Project Manager  
Plant Licensing Branch II-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-339

cc: Listserv

Mr. James A. Gresham  
Manager, Regulatory Compliance  
Westinghouse Electric Company  
1000 Westinghouse Drive  
Building 2 Suite 259  
Cranberry Township, PA 16066

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