

WOLF CREEK

NUCLEAR OPERATING CORPORATION

Forrest T. Rhodes
Vice President
Engineering & Technical Services

June 11, 1991
ET 91-0073

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Mail Station P1-137
Washington, D. C. 20555

Subject: Docket No. 50-482: Proposed Revision to Technical
Specification Table 2.2-1 and 4.3-1 for Reactor Coolant
System RTD Bypass System Removal

Gentlemen:

The purpose of this letter is to transmit an application for amendment to Facility Operating License No. NPF-42 for Wolf Creek Generating Station (WCGS), Unit No. 1. This proposed license amendment request revises Technical Specification Tables 2.2-1, 4.3-1 and associated Bases to accommodate the replacement of the existing resistance temperature detector (RTD) bypass system with an RTD thermowell system.

The RTD bypass system includes separate bypass lines for each reactor coolant loop hot and cold leg. The bypass lines divert a small amount of Reactor Coolant System (RCS) flow so that individual temperature signals may be developed for use in the reactor control and protection system. RCS hot and cold leg temperatures are measured by narrow range, direct immersion RTDs located in the bypass lines. Pending approval of this amendment, Wolf Creek Nuclear Operating Corporation (WCNOC) plans to implement a plant modification to replace the existing RTD bypass system with an RTD thermowell system. The plant modification involves removal of the bypass system piping and replacement of existing RTDs with RTDs inserted in thermowells into existing RCS penetrations. Technical Specification Tables 2.2-1 and 4.3-1 are revised to reflect minor changes to the Z and S parameters for the Overtemperature Delta-T and Overpower Delta-T functions. As discussed in the attached Safety Evaluation, this modification will result in an overall increase in the level of protection afforded the health and safety of the public.

Attachment II provides a detailed description of the proposed modification for removal of the RTD bypass system. Attachment III provides a description of the setpoint calculation for the proposed modification. These attachments contain information proprietary to WCNOC, Combustion Engineering (CE) and Westinghouse. As such, in accordance with the provisions of 10 CFR 2.790, it is respectfully requested that the information indicated as being proprietary be withheld from public disclosure on the grounds that it contains trade secrets and confidential commercial information. The enclosed affidavits, executed by duly authorized upper level management officials of WCNOC, CE and Westinghouse, the owners of the information, sets forth a rational basis by which this information should be withheld from public disclosure by the

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Commission an addresses, with specificity, the provisions of paragraph (b)(4) of 10 CFR 2.790. This affidavit states that the information indicated as being proprietary is held in confidence by the owners, and is transmitted to the NRC in confidence. This information is not publicly available and its public disclosure would cause harm to the competitive position of the owners due to the significant effort and expense required to develop this information. In accordance with the regulations, proprietary and non-proprietary versions of Attachments II and III are being provided in this submittal.

Correspondence with respect to the proprietary aspects of the Application for Withholding or the supporting Westinghouse Affidavit should reference CAW-91-157 and should be addressed to R. P. DiPiazza, Manager of Operating Plant Licensing Support, Westinghouse Electric Corporation, P. O. Box 355, Pittsburgh, Pennsylvania 15230-0355.

In accordance with 10 CFR 50.91, a copy of this application, with non-proprietary attachments is being provided to the designated Kansas State Official.

Attachments I through V provide the Safety Evaluation, Description of Proposed Plant Modification for RTD Bypass System Removal, Setpoint Calculation for RTD Bypass System Removal, Significant Hazards Consideration Determination, and Environmental Impact Determination supporting the change. Attachment VI provides the revised technical specification pages.

Implementation of this proposed revision to the WCCS Technical Specifications is contingent upon completion of the plant modification to replace the current RTD bypass system during the upcoming refueling outage. Therefore, WCNOG requests approval of this proposed amendment prior to the fifth refueling outage which is scheduled to begin in September, 1991.

If you have any questions concerning this matter, please contact me or Mr. H. K. Chernoff of my staff.

Very truly yours,



Forrest T. Rhodes
Vice President
Engineering & Technical Services

FTR/jra


Attachments:

- I - Safety Evaluation
- II-P - Description of Proposed Plant Modification for RTD Bypass System Removal (Proprietary)
- II-NP - Description of Proposed Plant Modification for RTD Bypass System Removal (Non-Proprietary)
- III-P - Setpoint Calculation for RTD Bypass System Removal (Proprietary)
- III-NP - Setpoint Calculation for RTD Bypass System Removal (Non-Proprietary)
- IV - Significant Hazards Consideration Determination
- V - Environmental Impact Determination
- VI - Proposed Technical Specification Changes

cc: G. W. Allen (KDHE), w/a (Non-Proprietary)
L. L. Gundrum (NRC), w/a
A. T. Howell (NRC), w/a
R. D. Martin (NRC), w/a
D. V. Pickett (NRC), w/a

STATE OF KANSAS)
) SS
COUNTY OF COFFEY)

Forrest T. Rhodes, of lawful age, being first duly sworn upon oath says that he is Vice President Engineering and Technical Services of Wolf Creek Nuclear Operating Corporation; that he has read the foregoing document and knows the content thereof; that he has executed that same for and on behalf of said Corporation with full power and authority to do so; and that the facts therein stated are true and correct to the best of his knowledge, information and belief.

A circular notary seal for Sandra E. Ellis, Notary Public, State of Kansas. The seal is embossed and contains the text "SANDRA E. ELLIS", "NOTARY PUBLIC", and "STATE OF KANSAS".
By *Forrest T. Rhodes*
Forrest T. Rhodes
Vice President
Engineering & Technical Services

SUBSCRIBED and sworn to before me this 10th day of June, 1991.

Sandra E. Ellis
Notary Public

Expiration Date 5-14-95

AFFIDAVIT

STATE OF KANSAS)
) SS
COUNTY OF COFFEY)

Before me, the undersigned authority, personally appeared Forrest T. Rhodes who, being by me duly sworn according to law, deposes and says:

- (1) I am Vice President Engineering & Technical Services for the Wolf Creek Nuclear Operating Corporation (WCNOC), and I have been specifically delegated the function of reviewing the proprietary information sought to be withheld from public disclosure in WCNOC's submittal of a license amendment request for removal of the Reactor Coolant System RTD bypass system, and am authorized to apply for its withholding on behalf of WCNOC.
- (2) I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.790 of the Commission's regulations and in conjunction with WCNOC letter ET 91-0073 Proposed Revision to Technical Specification Table 2.2-1 and and 4.3-1 for Reactor Coolant System RTD bypass system removal for submittal accompanying this affidavit.
- (3) I have personal knowledge of the criteria and procedures utilized by WCNOC in designating information as a trade secret, privileged or as confidential commercial.
- (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 has been held in confidence by WCNOC. The information is of a type customarily held in confidence by other organizations and not customarily disclosed to the public.

Based on a review of 10 CFR 2.790 the information to be held in confidence 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 a method, where prevention of its use by any other company without license from the owner constitutes a competitive economic advantage over other companies.
- (b) It consists of supporting data relative to a process or a method, the application of which secures a competitive advantage.
- (c) Its use by another company would reduce its expenditure of resources or improve its competitive position in the design, assurance of quality, or licensing a similar product.

There are sound reasons behind the WCNOG position which include the following:

- (a) It is information which is marketable in many ways.
 - (b) Use by other companies would put WCNOG at a competitive disadvantage by reducing their expenditure of resources at our expense.
 - (c) 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 WCNOG of a competitive advantage.
- (ii) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.790, it is to be received in confidence by the Commission.
 - (iii) The information sought to be protected is not available in public sources to the best of our knowledge and belief.
 - (iv) The proprietary information sought to be withheld in this submittal is the setpoint calculation methodology in Attachment II and III to ET 91-0073.

The subject information could only be duplicated by competitors if they were to invest time and effort equivalent to that invested by WCNOG provided they have the requisite talent and experience.

Public disclosure of this information is likely to cause substantial harm to the competitive position of WCNOG because it would simplify design and evaluation tasks without requiring a commensurate investment of time and effort.

- (5) The above statements are true and correct to the best of my knowledge, information and belief.



Forrest T. Rhodes

Forrest T. Rhodes
Vice President
Engineering & Technical Services

SUBSCRIBED and sworn to before me this 10th day of June, 1991.

Sandra E. Elliott
Notary Public

My Commission Expires: 5-14-95

AFFIDAVIT PURSUANT

TO 10 CFR 2.790

Combustion Engineering, Inc.)
State of Connecticut)
County of Hartford) SS.:

I, S. A. Toelle, depose and say that I am the Manager, Operating Reactor Licensing, of Combustion Engineering, Inc., duly authorized to make this affidavit, and have reviewed or caused to have reviewed the information which is identified as proprietary and referenced in the paragraph immediately below. I am submitting this affidavit in conformance with the provisions of 10 CFR 2.790 of the Commission's regulations and in conjunction with the application of Wolf Creek Nuclear Operating Corporation for withholding this information.

The information for which proprietary treatment is sought is contained in the following documents:

1) Attachment II-P to ET 91-0073, "Description of Proposed Plant Modification for RTD Bypass System Removal"; 2) Attachment III-P to ET 91-0073, "Setpoint Calculation for RTD Bypass System Removal".

These documents have been appropriately designated as proprietary.

I have personal knowledge of the criteria and procedures utilized by Combustion Engineering in designating information as a trade secret, privileged or as confidential commercial or financial information.

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, included in the above referenced document, should be withheld.

1. The information sought to be withheld from public disclosure is the design, configuration, and performance of an RTD/thermowell narrow range temperature measurement system that eliminates the RTD bypass loop system, which is owned and has been held in confidence by Combustion Engineering.
2. The information consists of test data or other similar data concerning a process, method or component, the application of which results in substantial competitive advantage to Combustion Engineering.
3. The information is of a type customarily held in confidence by Combustion Engineering and not customarily disclosed to the public. Combustion Engineering 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 details of the aforementioned system were provided to the Nuclear Regulatory Commission via letter DP-537 from F. M. Stern to Frank Schroeder dated December 2, 1974. This system was applied in determining that the subject document herein is proprietary.
4. The information is being transmitted to the Commission in confidence under the provisions of 10 CFR 2.790 with the understanding that it is to be received in confidence by the

Commission.

5. The information, to the best of my knowledge and belief, is not available in public sources, and any disclosure to third parties has been made pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence.
6. Public disclosure of the information is likely to cause substantial harm to the competitive position of Combustion Engineering because:
 - a. A similar product is manufactured and sold by major pressurized water reactor competitors of Combustion Engineering.
 - b. Development of this information by C-E required hundreds of manhours and tens of thousands of dollars. To the best of my knowledge and belief, a competitor would have to undergo similar expense in generating equivalent information.
 - c. In order to acquire such information, a competitor would also require considerable time and inconvenience to develop the design, configuration, and performance of an RTD/thermowell narrow range temperature measurement system that eliminates the RTD bypass loop system.
 - d. The information required significant effort and expense to obtain the licensing approvals necessary for application of the information. Avoidance of this expense would decrease a competitor's cost in applying the information and marketing the product to which the information is

applicable.

- e. The information consists of the design, configuration, and performance of an RTD/thermowell narrow range temperature measurement system that eliminates the RTD bypass loop system, the application of which provides a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with Combustion Engineering, take marketing or other actions to improve their product's position or impair the position of Combustion Engineering's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.
- f. In pricing Combustion Engineering's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of Combustion Engineering's competitors to utilize such without information similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.
- g. Use of the information by competitors in the international marketplace would increase their ability to market nuclear steam supply systems by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on Combustion Engineering's potential for obtaining or maintaining

foreign licensees.

Further the deponent sayeth not.

S. A. Toelle

S. A. Toelle
Manager
Operating Reactor Licensing

Sworn to before me
this 13th day of May, 1991

Laurie J. White
Notary Public

My commission expires: 3/31/94

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

SS

COUNTY OF ALLEGHENY:

Before me, the undersigned authority, personally appeared Stephen R. Tritch, 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:

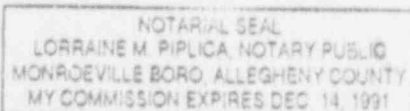
Stephen R. Tritch

Stephen R. Tritch, Manager
Operating Plant Licensing Support

Sworn to and subscribed
before me this 17th day
of May, 1991.

Lorraine M. Piplica

Notary Public



Member, Pennsylvania Association of Notaries

- (1) I am Manager, Nuclear Safety Department, in the Nuclear and Advanced Technology Division, 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.
- (g) It is not the property of Westinghouse, but must be treated as proprietary by Westinghouse according to agreements with the owner.

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 "Setpoint Calculation for RTD Bypass System Removal", Attachment III-P to ET 91-0073 (Proprietary), May 1991, for Wolf Creek Generating Station being transmitted by Wolf Creek Nuclear Operating Corporation letter and Application for Withholding Proprietary information from Public Disclosure, Kenneth H. Evers, Manager, Nuclear Power, to Document Control Desk, Attention Mr. Thomas Murley. The proprietary information as submitted for use by Wolf Creek Nuclear Operating Corporation for the Wolf Creek Generating Station is expected to be applicable in other licensee submittals in response to certain NRC requirements for justification of operation with setpoint calculations for RTD Bypass System Removal.

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

- (a) Provide documentation of the analysis and methods of determining setpoints for the RTD bypass system removal.
- (b) Support a determination that an unreviewed safety question does not exist.
- (c) Assist the customer in obtaining NRC approval.

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 supporting RTD bypass system removal.
- (b) Westinghouse can sell the setpoint calculation methodology to support setpoint calculations.

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 evaluations 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 Commission 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 developing analysis methods and criteria.

Further the deponent sayeth not.