



Westinghouse
Electric Corporation

Energy Systems

Box 355
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AW-97-1124

June 17, 1997

Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555

ATTENTION: MR. T. R. QUAY

APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE

SUBJECT: AP600 DESIGN CERTIFICATION; SURVEY OF OPERATING PLANT FUEL
LEAKAGE FOR REVIEW RADWASTE SYSTEMS

Dear Mr. Quay:

The application for withholding is submitted by Westinghouse Electric Corporation ("Westinghouse") pursuant to the provisions of paragraph (b)(1) of Section 2.790 of the Commission's regulations. It contains commercial strategic information proprietary to Westinghouse and customarily held in confidence.

The proprietary material for which withholding is being requested is identified in the proprietary version of the subject report. In conformance with 10CFR Section 2.790, Affidavit AW-97-1124 accompanies this application for withholding setting forth the basis on which the identified proprietary information may be withheld from public disclosure.

Accordingly, it is respectfully requested that the subject information which is proprietary to Westinghouse be withheld from public disclosure in accordance with 10CFR Section 2.790 of the Commission's regulations.

Correspondence with respect to this application for withholding or the accompanying affidavit should reference AW-97-1124 and should be addressed to the undersigned.

Very truly yours,

Brian A. McIntyre, Manager
Advanced Plant Safety and Licensing

jml

cc: Kevin Bohrer NRC OWFN - MS 12E20

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- (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) Enclosed is Letter NSD-NRC-97-5118, June 17, 1997 being transmitted by Westinghouse Electric Corporation (W) letter and Application for Withholding Proprietary Information from Public Disclosure, Brian A. McIntyre (W), to Mr. T. R. Quay, Office of NRR. The proprietary information as submitted for use by Westinghouse Electric Corporation is in response to questions concerning the AP600 plant and the associated design certification application and is expected to be applicable in other licensee submittals in response to certain NRC requirements for

justification of licensing advanced nuclear power plant designs.

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

- (a) Demonstrate the design and safety of the AP600 Passive Safety Systems.
- (b) Establish applicable verification testing methods.
- (c) Design Advanced Nuclear Power Plants that meet NRC requirements.
- (d) Establish technical and licensing approaches for the AP600 that will ultimately result in a certified design.
- (e) Assist customers in obtaining NRC approval for future plants.

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 meeting NRC requirements for advanced plant licenses.
- (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 advanced nuclear power designs 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 developing analytical methods and receiving NRC approval for those methods.

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AP600 Fuel Leakage Assessment

The fuel proposed for use in the AP600 is similar to the Westinghouse 17 x 17 Vantage 5 Hybrid (V5H) design (0.374" diameter fuel rod). There will be 38,280 power producing rods in 145 assemblies which produce a nominal power of 1933 MWt. The V5H type of fuel has been installed in many of the currently operating plants and is performing well. The significant differences between the AP600 fuel and the V5H fuel is described in SSAR Section 4.1.

Operating Plant Reactor Coolant Activity

The following table presents the operating plant coolant activity report for those plants currently using this type of fuel. This data includes only nuclides of Iodine.

January 1997 Operating Plant Coolant Activity for Plants With 17V5H Fuel

Plant	Sample	%	Letdown	I_131	I_131 /	I_134	b, c, d
1	6/19/96	100	[]
2	12/19/96	100					
3	11/24/96	100					
4	3/17/96	100					
5	11/24/96	94					
6	11/24/96	100					
7	12/26/96	100					
8	9/11/96	100					
9	12/16/96	100					
10	12/25/96	100					
11	6/7/95	100					
12	12/27/96	100					

The radionuclide I-131 concentration is less than 5E-04 for all cases. A comparison of the activity reports from these currently operating plants to the historical records of fuel leak incidents shows that the coolant activity will rise significantly if the defect rate approaches 0.25%.

Westinghouse Fuel Leak History

The history of seven incidents of Westinghouse fuel leaks is summarized below. These incidents include the highest coolant activities of four V5H fuel leak incidents and also for other types of fuel produced by Westinghouse; V5, Standard and V+. Each incident record includes the available data for the concentrations of some radionuclides in the reactor coolant. Concentrations are in microCuries per cc.

The number of leaking fuel rods, the total number of rods in the core and the fraction of leaking rods as a percentage is provided for each of these incidents. The means of determining the number of leaking fuel rods was through ultrasonic inspection, an accepted practice in the industry.

Summary - Highest Primary Coolant I-131 Activity Reported

Incident	Leak %	I_131 MicroCi/cc
Plant 7	[] b, c, d
Plant 7		
Plant 11		
Plant 11		
Plant 9		
Plant 14		
Plant 14		

The highest case coolant I-131 activities are more than twice the activities observed for the currently operating plants. The large (0.26%) leak fraction produced more than forty times the normal coolant activities. This incident occurred in a non-V5H type of fuel. The worst fuel leak rate in V5H type fuel was 0.084%.