

St. Lucie Nuclear Plant Units 1 and 2  
Dockets 50-335 and 50-389  
L-2021-142 Enclosure 2

## **Enclosure 2**

### **Affidavits Supporting Withholding Proprietary Information from Public Disclosure Pursuant to 10 CFR 2.390**

**(10 Attachments)**

**(41 Total Pages, including cover sheets)**

St. Lucie Nuclear Plant Units 1 and 2  
Dockets 50-335 and 50-389  
L-2021-142 Enclosure 2

## **Enclosure 2 Document List**

**Attachment 1** – CAW-21-5192, Affidavit for Westinghouse proprietary portions of LTR-SDA-21-021-P Rev. 1, dated June 25, 2021 (Enclosure 5 Attachment 1)

**Attachment 2** – CAW-21-5199, Affidavit for Westinghouse proprietary portions of LTR-SDA-II-20-31-P, Revision 2, dated July 14, 2021 (Enclosure 5 Attachment 2)

**Attachment 3** – MSLEF-LTR-001 Rev. 0, Affidavit for BWXT proprietary portions of MSLEF-SR-01-P, “St. Lucie Unit I Replacement Steam Generator – Environmental Assisted Fatigue Report,” dated July 16, 2021 (Enclosure 5 Attachment 3)

**Attachment 4** – No. 86-9329644-001, Affidavit for Framatome proprietary portions of Document No. 86-9329644-001, entitled, “St. Lucie SLR CUFen Evaluations Summary,” dated July 14, 2021 (Enclosure 5 Attachment 4)

**Attachment 5** – CAW-21-5189, Affidavit for Westinghouse proprietary portions of WCAP-18617-P, Revision 1, dated June 3, 2021 (Enclosure 5 Attachment 5)

**Attachment 6** – CAW-21-5180, Affidavit for Westinghouse proprietary portions of LTR-SDA-20-097-P, Rev. 2, dated May 5, 2021 (Enclosure 5 Attachment 6)

**Attachment 7** – CAW-21-5201, Affidavit for Westinghouse proprietary portions of LTR-SDA-20-104-P, Rev. 2, dated July 9, 2021 (Enclosure 5 Attachment 7)

**Attachment 8** – CAW-21-5173, Affidavit for Westinghouse proprietary portions of LTR-SDA-20-099-P Rev. 1, dated April 9, 2021 (Enclosure 5 Attachment 8)

**Attachment 9** – No. 86-9329645-000, Affidavit for Framatome proprietary portions of Document No 86-9329645-000, entitled, “St. Lucie SLR Crack Growth Analysis Summary,” dated July 14, 2021 (Enclosure 5 Attachment 9)

**Attachment 10** – LTR-SDA-II-20-31-P Rev. 2, Affidavit for Flowserve proprietary portions of LTR-SDA-II-20-31-P Rev. 2, dated July 29, 2021 (Enclosure 5 Attachment 2)

St. Lucie Nuclear Plant Units 1 and 2  
Dockets 50-335 and 50-389  
L-2021-142 Enclosure 2

## **Enclosure 2**

### **Affidavits Supporting Withholding Proprietary Information from Public Disclosure Pursuant to 10 CFR 2.390**

## **Attachment 1**

**CAW-21-5192, Affidavit for Westinghouse proprietary  
portions of LTR-SDA-21-021-P Rev. 1, dated June 25,  
2021 (Enclosure 5 Attachment 1)**

**(4 Total Pages, including cover sheet)**

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF BUTLER:

- (1) I, Jill S. Monahan, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse).
- (2) I am requesting the proprietary portions of LTR-SDA-21-021-P Rev. 1 be withheld from public disclosure under 10 CFR 2.390.
- (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 10 CFR 2.390, 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 and is not customarily disclosed to the public.
  - (ii) The information sought to be withheld is being transmitted to the Commission in confidence and, to Westinghouse's knowledge, is not available in public sources.
  - (iii) Westinghouse notes that a showing of substantial harm is no longer an applicable criterion for analyzing whether a document should be withheld from public disclosure. Nevertheless, 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.

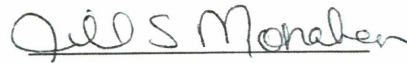
- (5) Westinghouse has policies in place to identify proprietary information. Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:
- (a) The information 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.

- (6) The attached documents are bracketed and marked to indicate the bases for withholding. The justification for withholding 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 (5)(a) through (f) of this Affidavit.

I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

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

Executed on: 6-25-2021



Jill S. Monahan, Manager  
eVinci Modeling and Analysis

St. Lucie Nuclear Plant Units 1 and 2  
Dockets 50-335 and 50-389  
L-2021-142 Enclosure 2

**Enclosure 2**

**Affidavits Supporting Withholding Proprietary  
Information from Public Disclosure Pursuant to 10  
CFR 2.390**

**Attachment 2**

**CAW-21-5199, Affidavit for Westinghouse  
proprietary portions of LTR-SDA-II-20-31-P, Revision  
2, dated July 14, 2021 (Enclosure 5 Attachment 2)**

**(4 Total Pages, including cover sheet)**

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF BUTLER:

- (1) I, Anthony J. Schoedel, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse).
- (2) I am requesting the proprietary portions of LTR-SDA-II-20-31-P, Revision 2 be withheld from public disclosure under 10 CFR 2.390.
- (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 10 CFR 2.390, 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 and is not customarily disclosed to the public.
  - (ii) The information sought to be withheld is being transmitted to the Commission in confidence and, to Westinghouse's knowledge, is not available in public sources.
  - (iii) Westinghouse notes that a showing of substantial harm is no longer an applicable criterion for analyzing whether a document should be withheld from public disclosure. Nevertheless, 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.

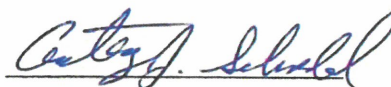
- (5) Westinghouse has policies in place to identify proprietary information. Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:
- (a) The information 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.

- (6) The attached documents are bracketed and marked to indicate the bases for withholding. The justification for withholding 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 (5)(a) through (f) of this Affidavit.

I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

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

Executed on: 7/14/2021



Anthony J. Schoedel, Manager  
eVinci Licensing & Configuration  
Management

St. Lucie Nuclear Plant Units 1 and 2  
Dockets 50-335 and 50-389  
L-2021-142 Enclosure 2

## **Enclosure 2**

### **Affidavits Supporting Withholding Proprietary Information from Public Disclosure Pursuant to 10 CFR 2.390**

## **Attachment 3**

**MSLEF-LTR-001 Rev. 0, Affidavit for BWXT  
proprietary portions of MSLEF-SR-01-P, “St. Lucie  
Unit I Replacement Steam Generator –  
Environmental Assisted Fatigue Report,” dated July  
16, 2021 (Enclosure 5 Attachment 3)**

**(4 Total Pages, including cover sheet)**

PROVINCE OF ONTARIO  
REGIONAL MUNICIPALITY OF WATERLOO

AFFIDAVIT OF MARIO GOGIC

I, Mario Gogic, of the City of Guelph, in the Province of Ontario, being sworn, make oath and say as follows:

1. I am the Manager, Component Engineering of BWXT Canada Ltd. ("BWXT"), 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 BWXT.
2. I am making this Affidavit in conformance with the provisions of 10CFR Section 2.390 of the Commission's regulations and in conjunction with the BWXT Canada Ltd. Application for Withholding accompanying this Affidavit.
3. I have personal knowledge of the criteria and procedures utilized by BWXT in designating information as a trade secret, proprietary 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 BWXT.
  - (ii) The information is of a type customarily held in confidence by BWXT and not customarily disclosed to the public. BWXT 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 BWXT 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 follow:

- (a) The information reveals the distinguishing aspects of a process, component, structure, tool, method, etc., where prevention of its use by any of BWXT's competitors without license from BWXT 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 its expenditure of resources or improve its competitive position in the design, manufacture, shipment, installation, quality assurance, or licensing of a similar product.
- (d) It contains patentable ideas, for which patent protection may be desirable.

There are sound policy reasons behind the BWXT system which include the following:


- The use of such information by BWXT gives BWXT a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect BWXT's competitive advantage.
  - It is information which is marketable in many ways. The extent to which such information is available to competitors diminishes the BWXT ability to sell products and services involving the use of such information.
  - Use by a competitor of BWXT would put BWXT at a competitive disadvantage by reducing the competitor's expenditure of resources at BWXT's expense.
  - BWXT's 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 2.390, 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 identified in BWXT Report MSLEF-SR-01-P, "St. Lucie Unit 1 Replacement Steam Generator – Environmental Assisted Fatigue Report" and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk.

The information which is proprietary in the proprietary version 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 (d) located as a superscript immediately following the brackets enclosing each item of information being identified as proprietary. These lower case letters refer to the types of information BWXT customarily holds in confidence identified in Sections (4)(ii)(a) through (4)(ii)(d) of this affidavit pursuant to 10 CFR 2.390(b)(1).

SWORN BEFORE ME in the )  
City of Guelph in the )  
Province of Ontario, this )  
16<sup>th</sup> day of July, 2021. )

  
\_\_\_\_\_  
MARIO GOGIC

  
\_\_\_\_\_  
A Commissioner, etc.  
Jon R. Johnson



St. Lucie Nuclear Plant Units 1 and 2  
Dockets 50-335 and 50-389  
L-2021-142 Enclosure 2

## **Enclosure 2**

### **Affidavits Supporting Withholding Proprietary Information from Public Disclosure Pursuant to 10 CFR 2.390**

## **Attachment 4**

**No. 86-9329644-001, Affidavit for Framatome  
proprietary portions of Document No. 86-9329644-  
001, entitled, “St. Lucie SLR CUFen Evaluations  
Summary,” dated July 14, 2021 (Enclosure 5  
Attachment 4)**

**(4 Total Pages, including cover sheet)**

A F F I D A V I T

1. My name is Gayle Elliott. I am Deputy Director, Licensing and Regulatory Affairs, for Framatome Inc. (Framatome) and as such I am authorized to execute this Affidavit.

2. I am familiar with the criteria applied by Framatome to determine whether certain Framatome information is proprietary. I am familiar with the policies established by Framatome to ensure the proper application of these criteria.

3. I am familiar with the Framatome information contained in Document No. 86-9329644-001, entitled, "St. Lucie SLR CUFen Evaluations Summary," dated July 2021 and referred to herein as "Document." Information contained in this Document has been classified by Framatome as proprietary in accordance with the policies established by Framatome for the control and protection of proprietary and confidential information.

4. This Document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by Framatome and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in this Document as proprietary and confidential.

5. This Document has been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in this Document be withheld from public disclosure. The request for withholding of proprietary information is made in accordance with 10 CFR 2.390. The information for which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information."



6. The following criteria are customarily applied by Framatome to determine whether information should be classified as proprietary:

- (a) The information reveals details of Framatome's research and development plans and programs or their results.
- (b) 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.
- (c) 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.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for Framatome in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by Framatome, would be helpful to competitors to Framatome, and would likely cause substantial harm to the competitive position of Framatome.

The information in this Document is considered proprietary for the reasons set forth in paragraphs 6(d) and 6(e) above.

7. In accordance with Framatome's policies governing the protection and control of information, proprietary information contained in this Document has been made available, on a limited basis, to others outside Framatome only as required and under suitable agreement providing for nondisclosure and limited use of the information.

8. Framatome policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

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

Executed on: July 14, 2021

*Gayle Elliott*  
\_\_\_\_\_  
Gayle Elliott

St. Lucie Nuclear Plant Units 1 and 2  
Dockets 50-335 and 50-389  
L-2021-142 Enclosure 2

## **Enclosure 2**

### **Affidavits Supporting Withholding Proprietary Information from Public Disclosure Pursuant to 10 CFR 2.390**

## **Attachment 5**

**CAW-21-5189, Affidavit for Westinghouse proprietary  
portions of WCAP-18617-P, Revision 1, dated June 3,  
2021 (Enclosure 5 Attachment 5)**

**(4 Total Pages, including cover sheet)**

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF BUTLER:

- (1) I, Anthony J. Schoedel, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse).
- (2) I am requesting the proprietary portions of WCAP-18617-P, Revision 1 be withheld from public disclosure under 10 CFR 2.390.
- (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 10 CFR 2.390, 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 and is not customarily disclosed to the public.
  - (ii) The information sought to be withheld is being transmitted to the Commission in confidence and, to Westinghouse's knowledge, is not available in public sources.
  - (iii) Westinghouse notes that a showing of substantial harm is no longer an applicable criterion for analyzing whether a document should be withheld from public disclosure. Nevertheless, 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.

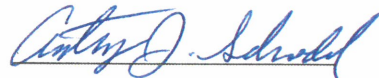
- (5) Westinghouse has policies in place to identify proprietary information. Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:
- (a) The information 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.

- (6) The attached documents are bracketed and marked to indicate the bases for withholding. The justification for withholding 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 (5)(a) through (f) of this Affidavit.

I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

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

Executed on: 6/3/2021



Anthony J. Schoedel, Manager  
eVinci Licensing & Configuration  
Management

St. Lucie Nuclear Plant Units 1 and 2  
Dockets 50-335 and 50-389  
L-2021-142 Enclosure 2

## **Enclosure 2**

### **Affidavits Supporting Withholding Proprietary Information from Public Disclosure Pursuant to 10 CFR 2.390**

## **Attachment 6**

**CAW-21-5180, Affidavit for Westinghouse proprietary  
portions of LTR-SDA-20-097-P, Rev. 2, dated May 5,  
2021 (Enclosure 5 Attachment 6)**

**(4 Total Pages, including cover sheet)**

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF BUTLER:

- (1) I, Anthony J. Schoedel, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse).
- (2) I am requesting the proprietary portions of LTR-SDA-20-097-P, Rev. 2 be withheld from public disclosure under 10 CFR 2.390.
- (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 10 CFR 2.390, 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 and is not customarily disclosed to the public.
  - (ii) The information sought to be withheld is being transmitted to the Commission in confidence and, to Westinghouse's knowledge, is not available in public sources.
  - (iii) Westinghouse notes that a showing of substantial harm is no longer an applicable criterion for analyzing whether a document should be withheld from public disclosure. Nevertheless, 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.

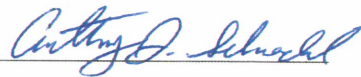
- (5) Westinghouse has policies in place to identify proprietary information. Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:
- (a) The information 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.

- (6) The attached documents are bracketed and marked to indicate the bases for withholding. The justification for withholding 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 (5)(a) through (f) of this Affidavit.

I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

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

Executed on: 5/5/2021

  
Anthony J. Schoedel, Manager  
eVinci Licensing & Configuration  
Management

St. Lucie Nuclear Plant Units 1 and 2  
Dockets 50-335 and 50-389  
L-2021-142 Enclosure 2

## **Enclosure 2**

### **Affidavits Supporting Withholding Proprietary Information from Public Disclosure Pursuant to 10 CFR 2.390**

## **Attachment 7**

**CAW-21-5201, Affidavit for Westinghouse proprietary  
portions of LTR-SDA-20-104-P, Rev. 2, dated July 9,  
2021 (Enclosure 5 Attachment 7)**

**(4 Total Pages, including cover sheet)**

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF BUTLER:

- (1) I, Anthony J. Schoedel, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse).
- (2) I am requesting the proprietary portions of LTR-SDA-20-104-P, Rev. 2 be withheld from public disclosure under 10 CFR 2.390.
- (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 10 CFR 2.390, 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 and is not customarily disclosed to the public.
  - (ii) The information sought to be withheld is being transmitted to the Commission in confidence and, to Westinghouse's knowledge, is not available in public sources.
  - (iii) Westinghouse notes that a showing of substantial harm is no longer an applicable criterion for analyzing whether a document should be withheld from public disclosure. Nevertheless, 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.

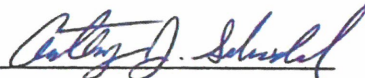
- (5) Westinghouse has policies in place to identify proprietary information. Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:
- (a) The information 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.

- (6) The attached documents are bracketed and marked to indicate the bases for withholding. The justification for withholding 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 (5)(a) through (f) of this Affidavit.

I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

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

Executed on: 7/9/2021

  
Anthony J. Schoedel, Manager  
eVinci Licensing & Configuration  
Management

St. Lucie Nuclear Plant Units 1 and 2  
Dockets 50-335 and 50-389  
L-2021-142 Enclosure 2

## **Enclosure 2**

### **Affidavits Supporting Withholding Proprietary Information from Public Disclosure Pursuant to 10 CFR 2.390**

## **Attachment 8**

**CAW-21-5173, Affidavit for Westinghouse proprietary  
portions of LTR-SDA-20-099-P Rev. 1, dated April 9,  
2021 (Enclosure 5 Attachment 8)**

**(4 Total Pages, including cover sheet)**

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF BUTLER:

- (1) I, Zachary S. Harper, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse).
- (2) I am requesting the proprietary portions of LTR-SDA-20-099-P Rev. 1 be withheld from public disclosure under 10 CFR 2.390.
- (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 10 CFR 2.390, 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 and is not customarily disclosed to the public.
  - (ii) The information sought to be withheld is being transmitted to the Commission in confidence and, to Westinghouse's knowledge, is not available in public sources.
  - (iii) Westinghouse notes that a showing of substantial harm is no longer an applicable criterion for analyzing whether a document should be withheld from public disclosure. Nevertheless, 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.

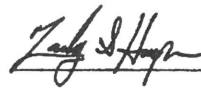
- (5) Westinghouse has policies in place to identify proprietary information. Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:
- (a) The information 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.

- (6) The attached documents are bracketed and marked to indicate the bases for withholding. The justification for withholding 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 (5)(a) through (f) of this Affidavit.

I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

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

Executed on: 4/9/2021



\_\_\_\_\_  
Zachary S. Harper, Manager  
Licensing Engineering

St. Lucie Nuclear Plant Units 1 and 2  
Dockets 50-335 and 50-389  
L-2021-142 Enclosure 2

## **Enclosure 2**

### **Affidavits Supporting Withholding Proprietary Information from Public Disclosure Pursuant to 10 CFR 2.390**

## **Attachment 9**

**No. 86-9329645-000, Affidavit for Framatome  
proprietary portions of Document No 86-9329645-  
000, entitled, “St. Lucie SLR Crack Growth Analysis  
Summary,” dated July 14, 2021 (Enclosure 5  
Attachment 9)**

**(4 Total Pages, including cover sheet)**

A F F I D A V I T

1. My name is Gayle Elliott. I am Deputy Director, Licensing and Regulatory Affairs, for Framatome Inc. (Framatome) and as such I am authorized to execute this Affidavit.

2. I am familiar with the criteria applied by Framatome to determine whether certain Framatome information is proprietary. I am familiar with the policies established by Framatome to ensure the proper application of these criteria.

3. I am familiar with the Framatome information contained in Document No. 86-9329645-000, entitled, "St. Lucie SLR Crack Growth Analysis Summary," dated July 2021 and referred to herein as "Document." Information contained in this Document has been classified by Framatome as proprietary in accordance with the policies established by Framatome for the control and protection of proprietary and confidential information.

4. This Document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by Framatome and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in this Document as proprietary and confidential.

5. This Document has been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in this Document be withheld from public disclosure. The request for withholding of proprietary information is made in accordance with 10 CFR 2.390. The information for which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information."

6. The following criteria are customarily applied by Framatome to determine whether information should be classified as proprietary:

- (a) The information reveals details of Framatome's research and development plans and programs or their results.
- (b) 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.
- (c) 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.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for Framatome in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by Framatome, would be helpful to competitors to Framatome, and would likely cause substantial harm to the competitive position of Framatome.

The information in this Document is considered proprietary for the reasons set forth in paragraphs 6(d) and 6(e) above.

7. In accordance with Framatome's policies governing the protection and control of information, proprietary information contained in this Document has been made available, on a limited basis, to others outside Framatome only as required and under suitable agreement providing for nondisclosure and limited use of the information.

8. Framatome policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

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

Executed on: July 14, 2021

*Gayle Elliott*

---

Gayle Elliott

St. Lucie Nuclear Plant Units 1 and 2  
Dockets 50-335 and 50-389  
L-2021-142 Enclosure 2

## **Enclosure 2**

### **Affidavits Supporting Withholding Proprietary Information from Public Disclosure Pursuant to 10 CFR 2.390**

## **Attachment 10**

**LTR-SDA-II-20-31-P Rev. 2, Affidavit for Flowserve  
proprietary portions of LTR-SDA-II-20-031-P Rev. 2,  
dated July 29, 2021 (Enclosure 5 Attachment 2)**

**(3 Total Pages, including cover sheet)**



STATE: California

COUNTY OF: Los Angeles

- (1) I, Ihab Botros, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Flowserve US Inc. (Flowserve).
- (2) I am requesting the proprietary portions of LTR-SDA-II-20-31-P Rev. 2 be withheld from public disclosure under 10 CFR 2.390.
- (3) I have personal knowledge of the criteria and procedures utilized by Flowserve in designating information as a trade secret, privileged, or as confidential commercial or financial information.
- (4) Pursuant to 10 CFR 2.390, 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 Flowserve and is not customarily disclosed to the public.
  - (ii) The information sought to be withheld is being transmitted to the Commission in confidence and, to Flowserve's knowledge, is not available in public sources.
  - (iii) Flowserve notes that a showing of substantial harm is no longer an applicable criterion for analyzing whether a document should be withheld from public disclosure. Nevertheless, public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Flowserve 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.
- (5) Flowserve has policies in place to identify proprietary information. 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 Flowserve's competitors without license from Flowserve 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 Flowserve, its customers or suppliers.
- (e) It reveals aspects of past, present, or future Flowserve or customer funded development plans and programs of potential commercial value to Flowserve.
- (f) It contains patentable ideas, for which patent protection may be desirable.
- (6) The attached documents are bracketed and marked to indicate the bases for withholding. The justification for withholding is indicated in both versions by means of lower-case letters (a) through (f), preceded by a superscript fs-, 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 Flowserve customarily holds in confidence identified in Sections (5)(a) through (f) of this Affidavit.

I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

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

Executed on:

July 29, 2021

A handwritten signature in blue ink, appearing to read "Ihab Botros". The signature is written in a cursive style with a horizontal line underneath it.

Ihab Botros  
Vice President/General Manager – FPD Americas