



22 February, 2000
LD-2000-0011

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D.C. 20555

**SUBJECT: ABB CENP RESPONSE TO NRC REQUEST FOR ADDITIONAL INFORMATION
REGARDING CENPD-132-P, SUPPLEMENT 4-P
{ENCLOSURE 1-P CONTAINS PROPRIETARY INFORMATION}**

- References: 1) Letter, I. C. Rickard (ABB CENP) to USNRC Document Control Desk, "Revision to ABB CENP ECCS Performance Appendix K Evaluation Model", LD-99-026, April 30, 1999
- 2) Letter, J. S. Cushing (NRC) to I. C. Rickard (ABB CENP), "Request for Additional Information (RAI) Regarding CENPD-132-P, Supplement 4-P (TAC No. MA5660)", December 14, 1999

By letter dated April 30, 1999 (Reference 1), ABB C-E Nuclear Power, Inc. (ABB CENP) submitted and requested Nuclear Regulatory Commission (NRC) review and approval of CENPD-132-P, Supplement 4-P - "Calculative Methods for the ABB CENP Large Break LOCA Evaluation Model". On December 14, 1999 (Reference 2), the NRC issued a Request for Additional Information (RAI) necessary for completion of their CENPD-132-P, Supplement 4-P review effort. Enclosure 1-P to this letter (PROPRIETARY) provides ABB CENP's response to the NRC RAIs. These responses will be incorporated into the Topical Report as Appendix D, and therefore, the pages are so numbered.

ABB CENP has determined that the material provided in Enclosure 1-P is PROPRIETARY in nature. Consequently, it is requested that Enclosure 1 be withheld from public disclosure in accordance with the provisions of 10 CFR 2.790 and that these copies be appropriately safeguarded. The reasons for the classification of this information as PROPRIETARY are delineated in the affidavit provided in Enclosure 2.

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If you have any questions concerning this matter, please do not hesitate to call me or Chuck Molnar of my staff at (860) 285-5205.

Very truly yours,
ABB CE NUCLEAR POWER, INC.


Ian C. Rickard, Director
Nuclear Licensing

Enclosures: As stated

xc: w/o Enclosures
J. S. Cushing (NRC/NRR/DLPM/LPD4)
Y.H. Hsii (NRC/NRR/DSSA/SRXB)

ABB Combustion Engineering Nuclear Power, Inc.

PROPRIETARY AFFIDAVIT

FOR

ENCLOSURE 1-P TO LD-2000-0011

**ABB CENP RESPONSE TO NRC REQUEST FOR ADDITIONAL
INFORMATION REGARDING CENPD-132-P, SUPPLEMENT 4-P**

AFFIDAVIT PURSUANT

TO 10 CFR 2.790

I, Ian C. Rickard, depose and say that I am the Director, Nuclear Licensing, of ABB C-E Nuclear Power, Inc. (ABB CENP), 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 for withholding this information.

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

Enclosure 1-P to LD-2000-0011, "ABB CENP Response To NRC Request For Additional Information Regarding CENPD-132-P, Supplement 4-P", 22 February, 2000

This document has been appropriately designated as proprietary.

I have personal knowledge of the criteria and procedures utilized by of ABB CENP 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 owned and has been held in confidence by ABB CENP. It consists of ABB CENP methodology for the evaluation of LOCA pursuant to 10 CFR 50, Appendix K, comparisons to experimental data and other methods, and other details of pending methodology changes.
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 ABB CENP.
3. The information is of a type customarily held in confidence by ABB CENP and not customarily disclosed to the public. ABB CENP 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 that 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 ABB CENP because:
 - a. A similar product is manufactured and sold by major pressurized and/or boiling water reactor competitors of ABB CENP.
 - b. Development of this information by ABB CENP required hundreds of thousands of dollars and tens of thousands of man-hours of effort. 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 methodology for ABB CENP plant designs for the evaluation of LOCA pursuant to 10 CFR 50, Appendix K, comparisons to experimental data and other methods, and other details of pending methodology changes.
 - d. The information consists of ABB CENP methodology for the evaluation of LOCA pursuant to 10 CFR 50, Appendix K, comparisons to experimental data and other methods, and other details of pending methodology changes, 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 ABB CENP, take marketing or other actions to improve their product's position or impair the position of ABB CENP's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.
 - e. In pricing ABB CENP's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of ABB CENP's competitors to utilize such information without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.
 - f. Use of the information by competitors in the international marketplace would increase their ability to market nuclear steam supply systems, nuclear fuel, analyses or other support services by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on ABB CENP's potential for obtaining or maintaining foreign licensees.

Further the deponent sayeth not.



Ian C. Rickard
Director, Nuclear Licensing

Sworn to before me

this 22nd day of February, 2000



Notary Public

My commission expires: 8/31/04