

Duke Energy Company      Oconee 1, 2, 3  
Entergy Operations, Inc.      ANO-1  
Florida Power Corporation      Crystal River 3



AmerGen Energy Company, LLC  
FirstEnergy Nuclear Operating Company  
Framatome ANP

TMI-1  
D-B

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Working Together to Economically Provide Reliable and Safe Electrical Power

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September 27, 2001  
OG-01-1812

Project No. 693

Document Control Desk  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Attention:      Mr. Stewart N. Bailey

Subject:      B&W Owners Group (B&WOG) Submittal of BAW-2392P, "B&W Designed Reactor Vessel Internals Baffle Bolt Failure Structural Analysis and Safety Assessment"

Reference:      B&WOG Letter No. OG-1714 dated July 1, 1998 from P.K. Goyal to Joseph L. Birmingham

Gentlemen:

Enclosed please find fifteen copies of B&W Owners Group report BAW-2392P, "B&W Designed Reactor Vessel Internals Baffle Bolt Failure Structural Analysis and Safety Assessment." This report is submitted for your information to document the results of the B&WOG reactor vessel internals safety assessment. BAW-2392P supercedes the preliminary safety assessment (FRA-ANP document 51-5001765-00) that was provided with the Reference letter. Twelve copies of the non-proprietary version of the report are also enclosed for your information.

The B&WOG is not requesting a formal review of BAW-2392P. This report is submitted to facilitate discussion of the analyses that were performed.

It is anticipated that the results of this safety assessment will be discussed at a meeting between the staff and the B&WOG to be scheduled in early 2002. This meeting will be held in conjunction with a meeting to be scheduled by the industry Materials Reliability Program.

In accordance with 10 CFR 2.790, the B&W Owners Group Materials Committee requests that the information in the attached report be considered "Proprietary." An affidavit supporting this request is included.

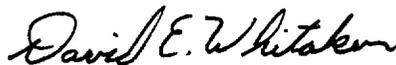
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Framatome ANP B&W Owners Group  
3315 Old Forest Road  
Lynchburg, VA 24501  
Phone: 434-832-3635 Fax: 434-832-4121

*1045  
extra Copies  
to S. Bailey*

If you have any questions, please contact the undersigned at 704-382-7246 or Mr. W. R. Gray at Framatome ANP (434-832-2783).

Sincerely,



David E. Whitaker, Chairman  
B&WOG Materials Committee

c: (all with Proprietary and Non-Proprietary reports)

B&WOG Materials Committee

D. F. Spond - Entergy Operations, Inc.  
D. E. Whitaker - Duke Energy Corporation  
R. P. Lemberger - Florida Power Corporation  
G. F. Gerzen - Exelon Nuclear Corporation  
P. K. Goyal - FirstEnergy Nuclear Operating Company

B&WOG Steering Committee

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D. J. Firth - Framatome ANP, Inc.

B&WOG Licensing Contacts

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George Rombold - PECO Energy Company  
D. R. Wuokko - FirstEnergy Nuclear Operating Company  
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G. Young	Entergy Operations
S. Fyfitch	Framatome ANP
J.F. Mallay	Framatome ANP
M.A. Rinckel	Framatome ANP

AFFIDAVIT OF RAYMOND W. GANTHNER

- A. My name is Raymond W. Ganthner. I am Vice-President of Engineering & Licensing for Framatome ANP, Inc. (FRA-ANP), and as such, I am authorized to execute this Affidavit.
- B. I am familiar with the criteria applied by FRA-ANP to determine whether certain information of FRA-ANP is proprietary and I am familiar with the procedures established within FRA-ANP to ensure the proper application of these criteria.
- C. In determining whether an FRA-ANP document is to be classified as proprietary information, an initial determination is made by the Unit Manager, who is responsible for originating the document, as to whether it falls within the criteria set forth in Paragraph D hereof. If the information falls within any one of these criteria, it is classified as proprietary by the originating Unit Manager. This initial determination is reviewed by the cognizant Section Manager. If the document is designated as proprietary, it is reviewed again by me to assure that the regulatory requirements of 10 CFR Section 2.790 are met.
- D. The following information is provided to demonstrate that the provisions of 10 CFR Section 2.790 of the Commission's regulations have been considered:
- (i) The information has been held in confidence by FRA-ANP. Copies of the document are clearly identified as proprietary. In addition, whenever FRA-ANP transmits the information to a customer, customer's agent, potential customer or regulatory agency, the transmittal requests the recipient to hold the information as proprietary. Also, in order to strictly limit any potential or actual customer's use of proprietary information, the substance of the following provision is included in all agreements entered into by FRA-ANP, and an equivalent version of the proprietary provision is included in all of FRA-ANP's proposals:

AFFIDAVIT OF RAYMOND W. GANTHNER (Cont'd.)

"Any proprietary information concerning Company's or its Supplier's products or manufacturing processes which is so designated by Company or its Suppliers and disclosed to Purchaser incident to the performance of such contract shall remain the property of Company or its Suppliers and is disclosed in confidence, and Purchaser shall not publish or otherwise disclose it to others without the written approval of Company, and no rights, implied or otherwise, are granted to produce or have produced any products or to practice or cause to be practiced any manufacturing processes covered thereby.

Notwithstanding the above, Purchaser may provide the NRC or any other regulatory agency with any such proprietary information as the NRC or such other agency may require; provided, however, that Purchaser shall first give Company written notice of such proposed disclosure and Company shall have the right to amend such proprietary information so as to make it non-proprietary. In the event that Company cannot amend such proprietary information, Purchaser shall prior to disclosing such information, use its best efforts to obtain a commitment from NRC or such other agency to have such information withheld from public inspection.

Company shall be given the right to participate in pursuit of such confidential treatment."

AFFIDAVIT OF RAYMOND W. GANTHNER (Cont'd.)

- (ii) The following criteria are customarily applied by FRA-ANP in a rational decision process to determine whether the information should be classified as proprietary. Information may be classified as proprietary if one or more of the following criteria are met:
- a. Information reveals cost or price information, commercial strategies, production capabilities, or budget levels of FRA-ANP, its customers or suppliers.
  - b. The information reveals data or material concerning FRA-ANP research or development plans or programs of present or potential competitive advantage to FRA-ANP.
  - c. The use of the information by a competitor would decrease his expenditures, in time or resources, in designing, producing or marketing a similar product.
  - d. The information consists of test data or other similar data concerning a process, method or component, the application of which results in a competitive advantage to FRA-ANP.
  - e. The information reveals special aspects of a process, method, component or the like, the exclusive use of which results in a competitive advantage to FRA-ANP.
  - f. The information contains ideas for which patent protection may be sought.

AFFIDAVIT OF RAYMOND W. GANTHNER (Cont'd.)

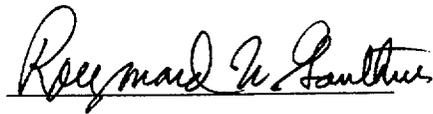
The document(s) listed on Exhibit "A", which is attached hereto and made a part hereof, has been evaluated in accordance with normal FRA-ANP procedures with respect to classification and has been found to contain information which falls within one or more of the criteria enumerated above. Exhibit "B", which is attached hereto and made a part hereof, specifically identifies the criteria applicable to the document(s) listed in Exhibit "A".

- (iii) The document(s) listed in Exhibit "A", which has been made available to the United States Nuclear Regulatory Commission was made available in confidence with a request that the document(s) and the information contained therein be withheld from public disclosure.
- (iv) The information is not available in the open literature and to the best of our knowledge is not known by General Electric, Westinghouse-CE, or other current or potential domestic or foreign competitors of FRA-ANP.
- (v) Specific information with regard to whether public disclosure of the information is likely to cause harm to the competitive position of FRA-ANP, taking into account the value of the information to FRA-ANP; the amount of effort or money expended by FRA-ANP developing the information; and the ease or difficulty with which the information could be properly duplicated by others is given in Exhibit "B".

E. I have personally reviewed the document(s) listed on Exhibit "A" and have found that it is considered proprietary by FRA-ANP because it contains information which falls within one or more of the criteria enumerated in Paragraph D, and it is information which is customarily held in confidence and protected as proprietary information by FRA-ANP. This report

AFFIDAVIT OF RAYMOND W. GANTHNER (Cont'd.)

comprises information utilized by FRA-ANP in its business which affords FRA-ANP an opportunity to obtain a competitive advantage over those who may wish to know or use the information contained in the document(s).



RAYMOND W. GANTHNER

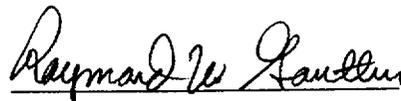
State of Virginia)

)

SS. Lynchburg

City of Lynchburg)

Raymond W. Ganthner, being duly sworn, on his oath deposes and says that he is the person who subscribed his name to the foregoing statement, and that the matters and facts set forth in the statement are true.



RAYMOND W. GANTHNER

Subscribed and sworn before me  
this 7<sup>th</sup> day of Sept. 2001.



Notary Public in and for the City  
of Lynchburg, State of Virginia.

My Commission Expires 12-31-04