

proj. 693



November 2, 2001
NRC:01:046

Document Control Desk
ATTN: Chief, Planning, Program and Management Support Branch
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Ref.: 1. Request for Additional Information for Topical Report BAW-10199P, Addendum 2, "Application of BWU-z CHF Correlation to the Mark-BW17 Fuel Design With Mid-Span Mixing Grids," (TAC NO. MB1677), October 11, 2001.

In Reference 1, the NRC requested additional information (RAI) to facilitate the completion of its review of the Framatome ANP topical report BAW-10199P, Addendum 2. Responses to this request are provided in two attachments: one proprietary and one non-proprietary.

Framatome ANP considers some of the information contained in the enclosures to this letter to be proprietary. As required by 10 CFR 2.790(b), an affidavit is enclosed to support the withholding of this information from public disclosure.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'James F. Mallay'.

James F. Mallay, Director
Regulatory Affairs

/lmk

Enclosures

cc: J. S. Wermeil, NRC
J. Cushing, NRC
T. L. Huang, NRC
20A13 File/Records Management
Project 693

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AFFIDAVIT

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

1. My name is Jerald S. Holm. I am Manager, Product Licensing, for Framatome ANP ("FRA-ANP"), and as such I am authorized to execute this Affidavit.

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

3. I am familiar with the FRA-ANP information contained in the letter NRC:01:046 which is referred to herein as "Document." Information contained in this Document has been classified by FRA-ANP as proprietary in accordance with the policies established by FRA-ANP 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 FRA-ANP 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 the Document be withheld from public disclosure.

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

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

7. In accordance with FRA-ANP'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 FRA-ANP only as required and under suitable agreement providing for nondisclosure and limited use of the information.

8. FRA-ANP 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.

Jerald S. Holm

SUBSCRIBED before me this 2nd
day of November, 2001.

Susan K. McCoy

Susan K. McCoy
NOTARY PUBLIC, STATE OF WASHINGTON
MY COMMISSION EXPIRES: 1/10/04

