



FRAMATOME ANP

An AREVA and Siemens company

FRAMATOME ANP, Inc.

October 1, 2002
NRC:02:047

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

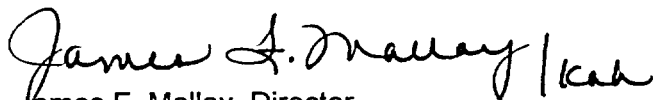
Request for Review of BAW-10240(P), "Incorporation of M5 Properties in Framatome ANP Approved Methods"

Framatome ANP requests the NRC's review and approval for referencing in licensing actions the topical report BAW-10240(P), "Incorporation of M5 Properties in Framatome ANP Approved Methods." One CD containing a proprietary version of the report and one CD containing a non-proprietary version of the report are enclosed. We request that the NRC approve this report by April 2003.

The purpose of the topical report BAW-10240(P) is to incorporate the approved M5 cladding material properties into methodology previously reviewed and approved by the NRC for use with Zry-4 cladding. The methods affected, which are numerous and encompass many of our PWR methodologies, are listed in the report. The methodology described in this topical report will be used to support licensing actions for Westinghouse 3 and 4 loop plants and Combustion Engineering plants for fuel burnups to 62 GWd/MTU.

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

Very truly yours,


James F. Mallay, Director
Regulatory Affairs

Enclosures

cc: R. Caruso
D. Holland (w/proprietary enclosure)
S. Wu
Project 702

7007

AFFIDAVIT

COMMONWEALTH OF VIRGINIA)
) ss.
CITY OF LYNCHBURG)

1. My name is James F. Mallay. I am Director, Regulatory Affairs, for Framatome ANP ("FANP"), and as such I am authorized to execute this Affidavit.

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

3. I am familiar with the FANP topical report BAW-10240(P) Incorporation of M5 Properties in Framatome ANP Approved Methods and referred to herein as "Document." Information contained in this Document has been classified by FANP as proprietary in accordance with the policies established by FANP 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 FANP 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.

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

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

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

8. FANP 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.



SUBSCRIBED before me this 1st
day of October, 2002.



Ella F. Carr-Payne
NOTARY PUBLIC, STATE OF VIRGINIA
MY COMMISSION EXPIRES: 8/31/05

