

November 27, 2007 NRC:07:068

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

Request for Review and Approval of ANP-10287P, "Incore Trip Setpoint and Transient Methodology for U.S. EPR Topical Report"

- Ref. 1: Letter, Ronnie L. Gardner (AREVA NP Inc.) to Document Control Desk (NRC), "Proposed Plan for the Pre-Application Review of the U.S. EPR," NRC:06:036, September 8, 2006.
- Ref. 2: Letter, Ronnie L. Gardner (AREVA NP Inc.) to Document Control Desk (NRC), "Proposed Plan for the Pre-Application Review of the U.S. EPR," NRC:07:007, February 14, 2007.

AREVA NP Inc. (AREVA NP) requests the NRC's review and approval of the enclosure, ANP-10287P, "Incore Trip Setpoint and Transient Methodology for U.S. EPR Topical Report." This report was identified as a pre-application submittal for the U.S. EPR in Attachment 3 of Reference 1 and Attachment 1 of Reference 2. In Reference 1 and 2, this report was referred to as the "U.S. EPR Setpoints Safety Analysis Methods Topical Report."

AREVA NP requests that the NRC issue a Safety Evaluation Report (SER) that approves this topical report which will be used to support AREVA NP's U.S. EPR design. AREVA NP plans to reference this topical report in its Design Certification application for the U.S. EPR. AREVA NP requests that the NRC complete its review of the enclosed report and issue the SER by November of 2008.

Also included with this submittal is report ANP-10282P, "POWERTRAX/E Online Core Monitoring Software for the U.S. EPR." This report supplements the information provided in topical report ANP-10287P and is also a supporting document for the design certification application to be submitted in December. 2007.

Proprietary and non-proprietary versions of the reports are enclosed on CDs.

AREVA NP considers some of the material contained in the enclosed documents to be proprietary. As required by 10 CFR 2.390(b), an affidavit is enclosed to support the withholding of the information from public disclosure.

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If you have any questions related to this submittal, please contact Ms. Sandra M. Sloan, Regulatory Affairs Manager for New Plants Deployment. She may be reached by telephone at 434-832-2369 or by e-mail at sandra.sloan@areva.com.

Sincerely,

Ronnie L. Gardner, Manager

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Site Operations and Corporate Regulatory Affairs

AREVA NP Inc.

Enclosures

cc: L. J. Burkhart

G. Tesfaye Project 733

AFFIDAVIT

COMMONWEALTH OF VIRGINIA)	
)	SS
CITY OF LYNCHBURG)	

- My name is Gayle F. Elliott. I am Manager, Product Licensing, for AREVA
 NP Inc. and as such I am authorized to execute this Affidavit.
- 2. I am familiar with the criteria applied by AREVA NP to determine whether certain AREVA NP information is proprietary. I am familiar with the policies established by AREVA NP to ensure the proper application of these criteria.
- 3. I am familiar with the AREVA NP information contained in ANP-10287P, Revision 0, "Incore Trip Setpoint and Transient Methodology for U.S. EPR Topical Report," dated November 2007, and referred to herein as "Document." Information contained in this Document has been classified by AREVA NP as proprietary in accordance with the policies established by AREVA NP 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 AREVA NP 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 AREVA NP to determine whether information should be classified as proprietary:
 - (a) The information reveals details of AREVA NP'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 AREVA NP.
 - (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA NP in product optimization or marketability.
 - (e) The information is vital to a competitive advantage held by AREVA NP, would be helpful to competitors to AREVA NP, and would likely cause substantial harm to the competitive position of AREVA NP.

The information in the Document is considered proprietary for the reasons set forth in paragraphs 6(b) and 6(c) above.

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

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SUBSCRIBED before me this 20th day of Normber . 2007.

Sherry L. McFaden

NOTARY PUBLIC, COMMONWEALTH OF VIRGINIA

MY COMMISSION EXPIRES: 10/31/10

Reg. # 7079129

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