



January 26, 2010  
NRC:10:009

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

**Draft Proprietary Viewgraphs for COBRA-FLX: A Core Thermal- Hydraulic Analysis Code,  
Pre-Submittal Meeting with the NRC**

Enclosed are the draft proprietary viewgraphs to be presented at the February 25, 2010 meeting on COBRA-FLX: A Core Thermal-Hydraulic Analysis Code.

AREVA NP Inc. (AREVA NP) considers some of the material contained in the enclosed to be proprietary. As required by 10 CFR 2.390(b), an affidavit is attached to support the withholding of the information from public disclosure. A non-proprietary version of the viewgraphs will be provided when the presentation material has been finalized.

If you have any questions related to this submittal, please contact Ms. Gayle F. Elliott, Product Licensing Manager. She may be reached by telephone at 434-832-3347, or by e-mail at [gayle.elliott@areva.com](mailto:gayle.elliott@areva.com).

Sincerely,

A handwritten signature in cursive script that reads 'Ronnie L. Gardner'.

Ronnie L. Gardner, Manager  
Corporate Regulatory Affairs  
AREVA NP Inc.

cc: H. D. Cruz  
Project 728

4601  
LRR

**AREVA NP INC.**

An AREVA and Siemens company

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Add: Holly Cruz  
to ERIOs

## AFFIDAVIT

COMMONWEALTH OF VIRGINIA    )  
  ) ss.  
CITY OF LYNCHBURG            )

1. 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 draft viewgraphs submitted to the NRC via NRC:10:009 dated January 26, 2010, for a pre-submittal meeting between AREVA NP and the NRC on February 25, 2010 to be held in Rockville, Md., 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:

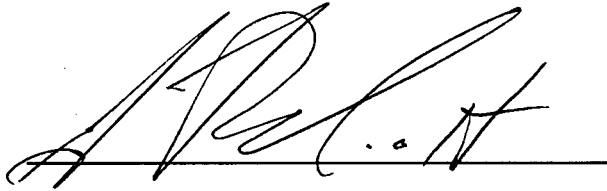
- (a) The information reveals details of AREVA NP's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or 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.

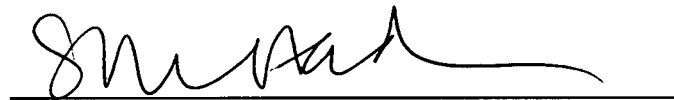
7. In accordance with AREVA NP's policies governing the protection and control of information, proprietary information contained in this Document have been made available, on a limited basis, to others outside AREVA NP only as required and under suitable agreement providing for nondisclosure and limited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

A handwritten signature in black ink, appearing to be "A. P. C. H.", written over a horizontal line.

SUBSCRIBED before me this 26<sup>th</sup>  
day of January, 2010.

A handwritten signature in black ink, appearing to be "Sherry L. McFaden", written over a horizontal line.

Sherry L. McFaden  
NOTARY PUBLIC, COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES: 10/31/10  
Reg. # 7079129

