

November 19, 2010 NRC:10:106

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

Computer Code Material Related to Response to U.S. EPR Design Certification Application RAI No. 403

Ref. 1: E-mail, Getachew Tesfaye (NRC) to Martin Bryan, et al (AREVA NP Inc.), "U.S. EPR Design Certification Application RAI No. 403 (4439), FSAR Ch. 15," June 2, 2010.

In Reference 1, the NRC provided a request for additional information (RAI) regarding the U.S. EPR design certification application (i.e., RAI No. 403). A response to this RAI is being provided separately.

As requested by Question 15.06.05-77 a CD containing a copy of the computer program used to develop the information in the response to RAI 403 is enclosed. AREVA NP considers the information on this CD to be proprietary in its entirety; therefore, a non-proprietary version is not submitted. As required by 10 CFR 2.390(b), an affidavit is enclosed to support the withholding of the information from public disclosure.

Sincerely,

Sandra M. Lloa

Sandra M. Sloan Regulatory Affairs Manager, New Plants AREVA NP Inc. Enclosure

cc: G. Tesfaye Docket No. 52-020

AREVA NP INC. An AREVA and Siemens company 3315 Old Forest Road, P.O. Box 10935, Lynchburg, VA 24506-0935 Tel.: 434 832 3000 – Fax: 434 832 4121 – www.areva.com

AFFIDAVIT

COMMONWEALTH OF VIRGINIA)) ss. COUNTY OF CAMPBELL)

1. My name is Sandra M. Sloan. I am Manager, New Plants Regulatory Affairs 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 on the CD enclosed with the letter NRC:10:106, 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 has 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.

Landra M. Aloa

SUBSCRIBED before me this 19 th

day of November, 2010.

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Denner att

Kathleen A. Bennett NOTARY PUBLIC, COMMONWEALTH OF VIRGINIA MY COMMISSION EXPIRES: 8/31/2011

KATHLEEN ANN BENNETT Notary Public Commonwealth of Virginia 110864 My Commission Expires Aug 31, 2011