



DRS Consolidated Controls, Inc.
A Finmeccanica Company

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DRS-2011-0768
December 8, 2011

Document Control Desk
US Nuclear Regulatory Commission
Washington, DC 20555

Subject: Topical Report Submittal, Project Number 778

Reference: a) NRC Project Number 778

Ladies and Gentlemen:

Attached to this letter is a copy of the Topical Report, "DRS-CCI PLuS 32 System Topical Report." This report is being submitted for your review and approval. The Topical Report describes the distributed control system that has been designed to be used in safety applications. Over the past several years the system has been reviewed with the NRC staff in a series of Phase 0 meetings with the comments and recommendations included in the report.

The attached report is proprietary in nature and is submitted with the attached affidavit as required by 10 CFR 2.390. This report is also classified as export controlled under the Export Administration Regulations (EAR), 15 CFR, Parts 730-774.

Also included is a DVD containing the reference material being provided in support of the Topical Report submittal. All references are provided as a searchable PDF where possible.

If you have any questions or comments regarding this response, please contact the undersigned at (203) 731-9506 (DKulp@DRS-ds.com).

Sincerely,

David A. Kulp
Senior Programs Manager
21 South Street
Danbury, CT 06810
203.731.9506
DKulp@DRS-DS.com

cc: Mr. John Jolicoeur, Mr. Andrew Hon, USNRC (w/o enclosures)

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MLR
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Enclosure contains ECI
and will not be added to ADAMS

Attachments:

001 Request For Withholding From Public Disclosure & Affirmation of Affidavit

002 ER7357/20, "DRS-CCI PLμS 32 System Topical Report"

003 CDROM – Topical Report References

Public Disclosure

ER7357/20

DRS Consolidated Controls, Inc.

AFFIDAVIT

I, David A. Kulp, being duly sworn, depose and state as follows:

1. I am Senior Programs Manager, Nuclear Controls, DRS Consolidated Controls, Inc. (DRS-CCI), and have been delegated the function of reviewing the DRS-CCI proprietary information sought to be withheld from public disclosure in connection with the pre-submittal review of the PL μ S 32 Distributed Control System and I am authorized to apply for its withholding on behalf of DRS-CCI.
2. The information sought to be withheld is contained in ER7357/20, "DRS-CCI PL μ S 32 System Topical Report" attached to DRS-CCI letter DRS-2011-0768 D. A. Kulp to NRC, *Topical Report Submittal, Project Number 778*. For pages containing DRS-CCI proprietary information, the page is marked with "Proprietary Information: Trade Secrets Submitted under 10 CFR 2.390" on the first page and at the top of the specific page.

In addition, it has been determined the equipment described within this document contains information that is export controlled under the Export Administration Regulations (EAR), 15 CFR, Parts 730-774.

3. In making this application for withholding of DRS-CCI proprietary information, DRS-CCI relies upon the exemption from disclosure set forth in the NRC regulations 10 CFR § 2.390 and in conjunction with the DRS-CCI application for withholding accompanying this Affidavit.
4. Some examples of categories of information which fit into the definition of proprietary information are:
 - a. Information which discloses process, method, or apparatus, including supporting data and analyses, where prevention of its use by DRS-CCI competitors without license or contract from DRS-CCI constitutes a competitive economic advantage over other companies in the industry;
 - b. Information, if used by a competitor, would reduce its expenditure of resources or improve its competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;
 - c. Information which reveals cost or price information, production capacities, budget levels, or commercial strategies of DRS-CCI, its customers, its partners, or its suppliers;

- d. Information which reveals aspects of past, present, or future DRS-CCI customer-funded development plans or programs, of potential commercial value to DRS-CCI;
- e. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection;
- f. Information obtained through DRS-CCI actions which could reveal additional insights into nuclear safety-related digital control system equipment design processes, qualification processes and regulatory proceedings, and which are not otherwise readily obtainable by a competitor.

Information to be withheld is considered to be proprietary to DRS-CCI based on the reasons set forth in paragraphs 4a., 4.b., and 4.f. above.

- 5. The information sought to be withheld is being submitted to NRC in confidence. The information is of a sort customarily held in confidence by DRS-CCI, and is in fact so held. The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by DRS-CCI, no public disclosure has been made, and it is not available in public sources. All disclosures to third parties, including any required transmittals to NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence. Its initial designation as proprietary information, and the subsequent steps taken to prevent its unauthorized disclosure, are set forth in paragraphs 6 and 7 following.
- 6. Initial approval of proprietary treatment of a document is made by the manager of the originating component, the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge.
- 7. The procedure for approval of external release of such a document typically requires review by the Product Line Lead, Contracts Manager, Program Manager or other equivalent authority, and by the Defense Solutions Legal Department, for technical content, competitive effect, and determination of the accuracy of the proprietary designation. Disclosures outside of DRS-CCI are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary agreements.

Documentation controlled under the EAR is also reviewed by the group identified above in support of the Defense Solutions Trade Compliance Group. Release of documents are reviewed to assure the information controlled by EAR is not released without the proper license in place. ©.

8. The information identified in paragraph 2, above, is classified as proprietary because it contains product design information. DRS-CCI has expended significant resources in both time and money in the development and qualification of this control system.

Disclosure of information in this document would cause substantial harm to the competitive position of DRS-CCI, as there are other competing companies who wish to qualify digital control systems for safety-related applications in nuclear power plants.

Competing firms could use our experience, approaches and technical information to facilitate their own qualification efforts and/or product design without compensating DRS-CCI.

9. Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of DRS-CCI because it would enhance the ability of a competitor to provide similar designs of digital control systems using similar approaches, equipment or licensing approaches.

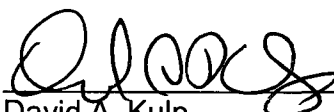
STATE OF CONNECTICUT
COUNTY OF FAIRFIELD

)
) ss Bethel
) Danbury, CT

David A. Kulp, being duly sworn, deposes and says:


That he has read the foregoing affidavit and the matters stated herein are true and correct to the best of his knowledge, information and belief.

Executed at Fairfield, Connecticut, this 6th day of December ²⁰¹¹~~2000~~ DAK
_{12/6/11}



David A. Kulp
Senior Programs Manager
DRS Consolidated Controls, Inc.

Sworn to and subscribed before me this 6 day of December 2011.



Notary Public, *My Commission Expires*
State of Connecticut *June 30, 2013*
Commission Expires _____