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August 30, 2012

MPWR-LTR-12-00076

U.S. Nuclear Regulatory Commission (NRC)
ATTN: Document Control Desk
11555 Rockville Pike
Rockville, MD 20852-2738

Babcock & Wilcox mPower, Inc.
Docket Number-PROJ0776
Project Number-776

Subject: Supplement to Topical Report R003-03-002106 "Validation of B&W mPower Core Design Methods", MPWR-TOPR-000001

The attached supplemental report has been prepared in response to NRC questions and comments concerning Topical Report R003-03-002106, "Core Nuclear Design Codes and Methods Qualification" submitted to the NRC on August 31, 2010 (BW-JAH-2010-223). This report is intended to present a validation of the physics underlying the Studsvik Scandpower Core Management System (CMS) codes and nuclear computational methodology that will be used when performing nuclear design calculations for the Babcock & Wilcox mPower™ Reactor core. B&W is seeking an NRC Safety Evaluation Report approving the use of these codes and nuclear computational methodology for performing future design calculations for the B&W mPower reactor core. Also, B&W requests approval to use the Nuclear Reliability Factors discussed in section 6.2 of the supplemental report, until such time as operational data from an actual B&W mPower Reactor becomes available.

A portion of the information provided in the report is Confidential Commercial Information (CCI). Therefore enclosed are two versions of the report. Enclosure 1 is a signed affidavit that provides the justification for withholding the CCI information identified in Enclosure 2. Enclosure 2 is a version that includes Confidential Commercial Information (CCI) that is marked in brackets. Enclosure 3 is a redacted version that can be released to the public.

B&W anticipates near term interaction with the NRC Staff to discuss the contents of the enclosed supplemental report.

Questions concerning this letter may be directed to Jeff Halfinger at 434-316-7507 (email: jahalfinger@babcock.com) or Peter Hastings at 434-382-9791 (email: pshastings@generationmpower.com).



Jeffrey A. Halfinger

VP, NSSS Technology
B&W mPower

JAH/jlr

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Enclosures:

1. AFFIDAVIT of Jeffery A. Halfinger
2. Supplement to Topical Report R003-03-002106 (CCI)
3. Supplement to Topical Report R003-03-002106 (Redacted)

cc: Joelle L. Starefos, NRC, TWFN 9-F-27
Stewart L. Magruder, Jr., NRC, TWFN 9-F-27

Enclosure 1
AFFIDAVIT of Jeffery A. Halfinger

Enclosure 1

AFFIDAVIT OF Jeffrey A. Halfinger

STATE OF VIRGINIA

CITY OF LYNCHBURG

I, Jeffrey A. Halfinger, being duly sworn, do hereby depose and say:

1. I am a citizen of the United States of America. I am a resident of Lynchburg, Virginia. My birth date is November 4th, 1961.

2. I am the Vice President, Babcock & Wilcox mPower (B&W mPower) NSSS Technology, located in Lynchburg, Virginia.

I have held this position since June 1, 2010. I have personal knowledge of the facts set forth in this affidavit, and if called and sworn as a witness in a deposition or before any court, I could and would testify competently under oath to these facts.

3. B&W mPower requests that the NRC withhold from public disclosure the information marked as "B&W Confidential Commercial Information" regarding certain design information being submitted to the NRC by the B&W mPower letter number MPWR-LTR-12-00076. This information is included in an enclosure to that letter: Supplement to Topical Report R003-03-002106 "Validation of B&W mPower Core Design Methods", MPWR-TOPR-000001.

4. I have personal knowledge of the criteria and procedures used by B&W mPower in designating confidential commercial or financial information as proprietary and have been delegated the function to review the information to identify proprietary information and authorized to apply for its withholding. The need for confidentiality is driven by the following:

- a) The information requested to be withheld reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) whose use by any of B&W mPower's competitors, without a license from the submitter, would constitute a competitive economic disadvantage to B&W mPower.

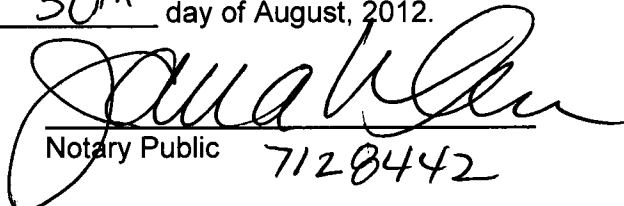
- b) Use by a competitor of the information requested to be withheld would reduce a competitor's expenditure of resources, or improve its competitive position, in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.
- c) The information requested to be withheld reveals aspects of privately funded development plans or programs of commercial value to B&W mPower.
- d) The information requested to be withheld consists of patentable ideas.

5. Specifically, the information identified in paragraph 3 above, is classified as proprietary because B&W mPower has developed the conceptual and technical approaches regarding details of the design of the B&W mPower™ Reactor core design and associated analysis, disclosure of which could adversely affect B&W mPower's competitive position by informing competitors of the degree of maturity and viability of the program, thereby motivating them to increase efforts to develop competing technologies. These features of the reactor design were privately funded by B&W mPower and are of commercial value to B&W mPower because of their nature in providing key elements of the B&W mPower™ reactor design analysis. All or parts of the approach described in the withheld material is patentable.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is a true and correct statement of facts.


Jeffrey A. Halfinger

Subscribed and sworn to before me this 30th day of August, 2012.


Notary Public 7128442

My commission expires: August 31, 2015