

REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR: 7902020266 DOC. DATE: 78/12/27 NOTARIZED: YES DOCKET #  
 FACILITY: 50-361 San Onofre Nuclear Generating Station-2, Southern Cal 05000361  
 50-362 San Onofre Nuclear Generating Station-3, Southern Cal 05000362  
 AUTH. NAME AUTHOR AFFILIATION  
 HAYNES, J.G. Southern California Edison Co.  
 RECIP. NAME RECIPIENT AFFILIATION  
 BAER, R. Light Water Reactors Branch 2

SUBJECT: Forwards proprietary & non-proprietary info presented at 781214 meeting w/NRC. Info includes data from spacer grid impact testing & loads calculated by analysis. Affidavit requesting 10CFR2.790 status encl.

*(See reports)*

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 TITLE: PSAR/FSAR AMDTS AND RELATED CORRESPONDENCE.

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|           |              | AD PLANT SYS    | 1      | 0    | AD REAC SAFETY |              | 1 0 |
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GD

*Southern California Edison Company*

P.O. BOX 800  
2244 WALNUT GROVE AVENUE  
ROSEMEAD, CALIFORNIA 91770

December 27, 1978

Director, Office of Nuclear Reactor Regulation  
Attention: Mr. Robert Baer  
LWR Branch 2, DPM  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Gentlemen:

Subject: Docket Nos. 50-361 and 50-362  
San Onofre Nuclear Generating Station  
Units 2 and 3

On December 14, 1978, Southern California Edison (SCE) and Combustion Engineering, Inc. (CE) met with members of the NRC staff to introduce material on the 16X16 fuel for San Onofre Units 2 and 3. Particular emphasis was placed on informing the NRC staff of the structural design analysis and testing associated with the fuel.

During this meeting, a substantial amount of proprietary information was presented. This information included data from spacer grid impact testing and techniques, and loads calculated by analysis. SCE/CE agreed to submit this proprietary information to the NRC staff in accordance with 10CFR Part 2.

Enclosed are 1), five (5) copies of the complete slide package used in the meeting including proprietary information (Copy Nos. 0004 through 0008), 2) two (2) copies of the non-Proprietary version of the slides presented and 3), an affidavit setting forth the basis on which the information may be withheld from public disclosure by the Commission and addressing specifically the considerations listed in paragraph (b) (4) of Section 2.790 of the Commissions regulations.

Accordingly, it is respectfully requested that the information which is proprietary to Combustion Engineering, Inc. be withheld from public disclosure in accordance with 10CFR Section 2.790 of the Commission's regulations. If you should have any questions concerning the proprietary nature of material transmitted herewith please address these questions directly to:

790202 0266

REGULATORY DOCKET FILE COPY

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(LTR & NP)  
1/5  
PROP TO  
LIST

Mr. Robert Baer

-2-

December 27, 1978

Mr. A. E. Scherer,  
Licensing Manager (9438-401)  
Combustion Engineering, Inc.  
1000 Prospect Hill Road  
Windsor, Connecticut 06095

We also request that you provide a copy of any questions concerning the proprietary nature of this submittal to SCE.

Very truly yours,



J. G. Haynes  
Chief of Nuclear Engineering

Enclosure

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S. V. TASHJIAN

AFFIDAVIT PURSUANT

TO 10 CFR 2.790

Combustion Engineering, Inc.     )  
State of Connecticut            )  
County of Hartford              )     SS.:

I, A. E. Scherer depose and say that I am the Manager, Licensing of Combustion Engineering, Inc., duly authorized to make this affidavit, and have reviewed or caused to have reviewed the information which is identified as proprietary and referenced in the paragraph immediately below. I am submitting this affidavit in conformance with the provisions of 10 CFR 2.790 of the Commission's regulations and in conjunction with the application of Southern California Edison Company and San Diego Gas and Electric Company for withholding this information.

The information for which proprietary treatment is sought is contained in the following document:

Slides depicting Structural Analysis Methods, Testing, Properties and Analysis Test Results for the C-E 16 x 16 Fuel Assembly for San Onofre Units 2 and 3. (Presented to NRC by SCE/CE on December 14, 1978 in Bethesda, Md.)

This document has been appropriately designated as proprietary.

I have personal knowledge of the criteria and procedures utilized by Combustion Engineering in designating information as a trade secret, privileged or as confidential commercial or financial information.

Pursuant to the provisions of paragraph (b) (4) of Section 2.790 of the Commission's regulations, the following is furnished for consideration

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by the Commission in determining whether the information sought to be withheld from public disclosure, included in the above referenced document, should be withheld.

1. The information sought to be withheld from public disclosure is details of the 16 x 16 fuel structural design, analysis and testing for San Onofre Units 2 and 3, which is owned and has been held in confidence by Combustion Engineering.

2. The information consists of test data or other similar data concerning a process, method or component, the application of which results in a substantial competitive advantage to Combustion Engineering.

3. The information is of a type customarily held in confidence by Combustion Engineering and not customarily disclosed to the public. Combustion Engineering has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The details of the aforementioned system were provided to the Nuclear Regulatory Commission via letter DP-537 from F.M. Stern to Frank Schroeder dated December 2, 1974. This system was applied in determining that the subject documents herein are proprietary.

4. The information is being transmitted to the Commission in confidence under the provisions of 10 CFR 2.790 with the understanding that it is to be received in confidence by the Commission.

5. The information, to the best of my knowledge and belief, is not available in public sources, and any disclosure to third parties has been made pursuant to regulatory provisions or proprietary agreements which

provide for maintenance of the information in confidence.

6. Public disclosure of the information is likely to cause substantial harm to the competitive position of Combustion Engineering because:

a. A similar product is manufactured and sold by major pressurized water reactors competitors of Combustion Engineering.

b. Development of this information by C-E required tens of thousands of man-hours of effort and millions of dollars. To the best of my knowledge and belief a competitor would have to undergo similar expense in generating equivalent information.

c. In order to acquire such information, a competitor would also require considerable time and inconvenience related to developing the analysis methods and obtaining access to test facilities and conducting extensive testing.

d. The information required significant effort and expense to obtain the licensing approvals necessary for application of the information. Avoidance of this expense would decrease a competitor's cost in applying the information and marketing the product to which the information is applicable.

e. The information consists of supporting data for analyses, and fuel design and testing structural details the application of which provides a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with Combustion Engineering, take marketing or other actions to improve their product's position or impair the position of Combustion Engineering's product, and avoid developing similar data and analyses in support of their

processes, methods or apparatus.

f. In pricing Combustion Engineering's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of Combustion Engineering's competitors to utilize such information without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.

g. Use of the information by competitors in the international marketplace would increase their ability to market nuclear steam supply systems by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on Combustion Engineering's potential for obtaining or maintaining foreign licensees.

Further the deponent sayeth not.



A. E. Scherer

Manager, Licensing

Sworn to before me

this 21<sup>st</sup> day of December, 1978

Lisa G. Waicunas  
Notary Public

LISA G. WAICUNAS, NOTARY PUBLIC  
State of Connecticut No. 54492  
Commission Expires March 31, 1983



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

MEMORANDUM FOR: TERA Corp.  
FROM: US NRC/TIDC/Distribution Services Branch  
SUBJECT: Special Document Handling Requirements

1. Please use the following special distribution list for the attached document.

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2. The attached document requires the following special considerations:

- Do not send oversize enclosure to the NRC PDR.  
 Only one oversize enclosure was received - please return for Regulatory File storage.  
 Proprietary information - send affidavit only to the NRC PDR

Other: (specify)

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Mike C

cc: DSB Files

TIDC/DSB Authorized Signature