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ACCESSION NBR: 8201250289 DOCLOATE: 82/01/19 NONARIZED: YES DOCKENT #: FACIL: 50-389 Site, Lucie Pliabite Unit: 2, Filoridal Power: & Llight Con. AUTH.NAMEI AUTHOR AFFILIIATION UHRIG, R.EL Filoridal Power & Llight: Con. RECIP.NAMEI RECIPIENTI AFFILIIATION EISENHUT, D.GL. Division: of: Llicensing

SUBJECIT: Forwards "CESEC(Digital Simulation of CHELNSSS." Encluwithheld (ref 10CFR2,790).Affidavit enclu.

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FLORIDA POWER & LIGHT COMPANY

WITHHOLD FROM PUBLIC DISCLOSURE

January 19, 1982 L-82-19

Office of Nuclear Reactor Regulation Attention: Mr. Darrell G. Eisenhut, Director Division of Licensing U. S. Nuclear Regulatory Commission Washington, D. C. 20555

Dear Mr. Eisenhut:

Re: St. Lucie Unit 2 Docket No. 50-389 Report on the CESEC-III NSSS Simulation Code ST JAN 2 2 1982 THIS

Enclosures: 1) CESEC Digital Simulation of a Comubstion Engineering Nuclear Steam Supply System, December, 1981, Copies 00043-00045.

2) Affidavit from Combustion Engineering attesting to the proprietary nature of Enclosure 1.

In the review of the St. Lucie Unit 2 FSAR, NRC requested additional information on the CESEC-III computer code used by Combustion Engineering for NSSS safety analyses (Questions 440.67, 440.80, and 440.81). A draft report was provided in August 1981. This letter transmits the final proprietary version of that report. Copies of the final report should be provided to E. Throm and J. Guttman of the Reactor Systems Branch.

Pursuant to 10CFR2, Section 2.790, the NRC is requested to withhold this information from public disclosure. Also, in accordance with Section 2.790(b), it is recognized that withholding this information from public inspection shall not affect the right, if any, of persons properly and directly concerned with the inspection of the proprietary information.

If you should have any questions concerning the proprietary nature of material transmitted herewith, please address these questions directly to:

Mr. A. E. Scherer Director of Licensing (9438-1922) Combustion Engineering 1000 Prospect Hill Road Windsor, CT 06095

We also request that you provide a copy of any questions on the proprietary nature of the enclosed report to FPL.

Very truly yours, Add: htr Ench PBOL E. Throm 1 1 Sals I. Guttman 1 1 a de mastry 8201250287 820 PDR ADDCK 05000369 Robert E. Uhrig PDR Vice President Advanced Systems & Technology REU/DME/ah Enclosure cc: J. P. O'Reilly, Regional Administrator (w/o enclosure) PEOPLE...SERVING PEOPLE Harold F. Reis, Esquire (w/o enclosure)



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AFFIDAVIT PURSUANT

TO 10 CFR 2.790

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

I, P.: L. McGill depose and say that I am the Vice President, Commercial 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 Florida Power and Light, for withholding this information.

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

CESEC Digital Simulation of a Combustion Engineering Nuclear Steam Supply System, December, 1981.

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 by the Commission in determining whether the information sought to be withheld from public disclosure, included in the above referenced document, should be withheld. * 3

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1. The information sought to be withheld from public disclosure are the methodology related to the determination of the pool boiling coefficient in the steam generator secondary side and the enthalpy transport algorithm in the core and steam generator primary nodes, which is owned and has been held in confidence by Combustion Engineering.

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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 thousands of manhours of effort and hundreds of thousands of dollars. To the best of my knowledge and belief a competitor would have to undergo similar expense in generating equivalent information.

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c. In order to acquire such information, a competitor would also require considerable time and inconvenience related to the development of methods for calculating the NSSS response for Chapter 15 events in the safety analysis reports.

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 models for the determination of pool boiling heat transfer in the steam generator secondary side and enthalpy distribution in the core and steam generator primary system nodes, 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.

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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.

P. L. McGill Vice President Commercial

Sworn to before me January, 1980 this day of (,) Notary

CAREY J. WENZEL, NOTARY PUBLIC State of Connecticut No. 59962 Commission Expires March 31, 1985 -4-



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