

50-335

NRC DISTRIBUTION FOR PART 50 DOCKET MATERIAL

FILE NUMBER

TO: Mr. Stello		FROM: FPL Miami, Fl. Robert E. Uhrig		DATE OF DOCUMENT 04/27/78
<input checked="" type="checkbox"/> LETTER <input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> COPY		<input type="checkbox"/> NOTORIZED <input checked="" type="checkbox"/> UNCLASSIFIED		DATE RECEIVED 05/03/78
		PROP XX	INPUT FORM	NUMBER OF COPIES RECEIVED 3 SIGNED

DESCRIPTION
Requesting withholding pursuant to 2.790 Info...

1p

PLANT NAME : ST LUCIE UNIT 1
jcm 05/04/78

ENCLOSURE
Proprietary Info consisting of Combustion Engineering Rept GEN-90 (F)-P "Stl Lucie Unit Reactor Operation with Modified GEA Guide Tubes," dtd 04/21/78 - (Copy Nos 000001 through 000010)...w/att Proprietary Affidavit Notarized 04/21/78...

4p + 200p (see prop. rpt.)

10 ENCL / REPRD LTR'S

SAFETY	FOR ACTION/INFORMATION	ENVIRONMENTAL
ASSIGNED AD:		ASSIGNED AD: V. MOORE (LTR)
BRANCH CHIEF: #8,9,10 + 7 LTR'S REID		BRANCH CHIEF:
PROJECT MANAGER:		PROJECT MANAGER:
LIC. ASST:		LIC. ASST:
		B. HARLESS

INTERNAL DISTRIBUTION			
<input checked="" type="checkbox"/> REG FILES #1 & 2	SYSTEMS SAFETY	PLANT SYSTEMS	SITE SAFETY & ENVIRON ANALYSIS
<input checked="" type="checkbox"/> NRC PDR LTR	R. MATTSON	TEDESCO	DENTON & MULLER
<input checked="" type="checkbox"/> I & E #3	SCHROEDER	BENAROYA	CRUTCHFIELD
OELD		LAINAS	
GOSSICK & STAFF	ENGINEERING	IPPOLITO	
HANAUER	KNIGHT	E. ROSA	ENVIRON TECH
MIPC	BOSNAK		ERNST
CASE	SIHWELL	OPERATING REACTORS	BALLARD
ROYD	PAWLICKI	STELLO	YOUNGBLOOD
		EISENHUT	
PROJECT MANAGEMENT	REACTOR SAFETY	SHAO #4 & 5	SITE TECH
SKOVHOLT	ROSS	BAER #6 & 7	GAMMILL (2)
P. COLLINS	NOVAK	BUTLER	
HOUSTON	ROSZTOCZY	GRIMES	SITE ANALYSIS
MELTZ	CHECK		VOLLMER
HELTEMES			BUNCH
SK	AT & I		J. COLLINS
	SALTZMAN		KREGER
<input checked="" type="checkbox"/> H. SMITH LTR & AFF	RUTBERG		

EXTERNAL DISTRIBUTION			CONTROL NUMBER
LPDR: LTR FT PIERCE	NAT LAB:		781240008 MR 2 SD
TIC			
NSIC			
REG V (J. HANCHETT)			
16 CYS SENT CATEGORY	TO ACRS		

REGULATORY DOCKET FILE COPYWITHHOLD ENCLOSURES FROM PUBLIC DISCLOSURE

FLORIDA POWER & LIGHT COMPANY

April 27, 1978

L-78-150

Office of Nuclear Reactor Regulation
 Attention: Mr. Victor Stello, Director
 Division of Operating Reactors
 U. S. Nuclear Regulatory Commission
 Washington, D. C. 20555

Dear Mr. Stello:

Re: St. Lucie Unit No. 1
 Docket No. 50-335
 CEN-90(F)-P, "St. Lucie Unit 1 Reactor Operation
 With Modified CEA Guide Tubes"

Enclosed for your information and use are ten copies (Copy Nos. 000001 through 000010) of Combustion Engineering Report CEN-90 (F)-P, "St. Lucie Unit 1 Reactor Operation with Modified CEA Guide Tubes," dated April 21, 1978.

Please note that, except for 1 case, only previously unworn fuel bundles will be used under CEAs in Cycle 2. As stated in our letter L-78-111 of March 31, 1978, one "A" assembly which has seen service under a CEA in Cycle 1 will be chosen for use in Cycle 2. It will be an essentially unworn bundle chosen on the basis of minimum wear and will be reused in a low wear center-core location.

Due to the proprietary nature of the material contained in the report, we request that it be withheld from public disclosure in accordance with 10 CFR 2.790 and that the material contained therein be safeguarded. An affidavit addressing the bases for this classification is enclosed.

Very truly yours,

Robert E. Uhrig
 Robert E. Uhrig
 Vice President

REU/MAS/mb

Enclosures

cc: Mr. James P. O'Reilly, Region II (w/o enclosures)
 Harold F. Reis, Esquire (w/o enclosures)

WITHHOLD ENCLOSURES FROM PUBLIC DISCLOSURE



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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 & Light Company for withholding this information.

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

CEN-90(F) - P, "St. Lucie Unit 1 Reactor Operation With Modified
CEA Guide Tubes."

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.

1. The information sought to be withheld from public disclosure are detailed results of fuel inspection programs, descriptions of inspection techniques, results of specific analyses, and the design details of a fuel modification which are 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 thousands of man-hours 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.

c. In order to acquire such information, a competitor would also require considerable time and inconvenience related to conducting extensive fuel inspections, developing fuel inspection techniques, conducting analyses, and developing fuel design modifications.

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 detailed results of fuel inspection programs, descriptions of inspection techniques, results of specific analyses, and the design details of a fuel modification 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.



P. L. McGill

Vice President, Commercial

Sworn to before me

this 26th day of April 1978

Ethelyn H. Colfitts
Notary Public

ETHELYN H. COLFITTS, NOTARY PUBLIC
State of Connecticut No. 33976
Commission Expires March 31, 1983