

**EXXON NUCLEAR COMPANY, Inc.**

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April 3, 1981  
GFO:021:



Mr. James R. Miller, Chief  
Standardization & Special Projects Branch  
Division of Licensing  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

SUBJECT: XN-NF-512, Revision 1, "XN-3 Critical Power Correlation,"  
dated March 1981

Dear Mr. Miller:

This letter transmits the subject document for your review and approval. The original report was transmitted to the NRC by letter dated July 20, 1979. This revision provides additional data recently obtained by Exxon Nuclear, makes appropriate adjustments in the correlation based on the new data, and incorporates responses to informal questions asked by members of the Staff.

Exxon Nuclear Company considers the information contained in the report XN-NF-512, Revision 1 to be proprietary. In accordance with the Commission's Regulation 10CFR2.790(b), the enclosed Affidavit executed by our Mr. James N. Morgan provides the necessary information to support the withholding of the subject document from public disclosure.

Twenty-five (25) copies of the subject document and twenty (20) copies of its non-proprietary version are enclosed.

Sincerely,

*Gerald Owsley*  
G. F. Owsley, Manager  
Reload Fuel Licensing

GFO:gf  
Enclosures  
As above

CC: Mr. J. S. Berggren (USNRC)

*PROP*  
*T007 5 1/25*  
*NON-PROP*  
*T008 5 1/20*

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A F F I D A V I T

STATE OF Washington

COUNTY OF Benton

)  
) ss.

I, James N. Morgan, being duly sworn, hereby say and depose:

1. I am Manager, Licensing and Safety Engineering, for Exxon Nuclear Company, Inc., ("ENC") and as such I am authorized to execute this Affidavit.

2. I am familiar with ENC's detailed document control system and policies which govern the protection and control of information.

3. I am familiar with the report entitled XN-NF-512, Revision 1, "XN-3 Critical Power Correlation," referred to as "Document". Information contained in this Document has been classified by ENC as proprietary in accordance with the control system and policies established by ENC for the control and protection of information.

4. The Document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by ENC and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in the Document as being proprietary and confidential.

5. The Document has been made available to the United States Nuclear Regulatory Commission in confidence, with the request that the information contained in the Document not be disclosed or divulged.

6. The Document contains information which is vital to a competitive advantage of ENC and would be helpful to competitors of ENC when competing with ENC.

7. The information contained in the Document is considered to be proprietary by ENC because it reveals certain distinguishing aspects of thermal hydraulic test data and design analysis results which secure competitive economic advantage to ENC by design optimization and improved marketability, and includes information utilized by ENC in its business which affords ENC an opportunity to obtain a competitive advantage over its competitors who do not or may not know or use the information contained in the Document.

8. The disclosure of the proprietary information contained in the Document to a competitor would permit the competitor to reduce its expenditure of money and manpower and to improve its competitive position by giving it extremely valuable insights into ENC's modeling techniques and fuel design test data and would result in substantial harm to the competitive position of ENC.

9. The Document contains proprietary information which is held in confidence by ENC and is not available in public sources.

10. In accordance with ENC's policies governing the protection and control of information, proprietary information contained in the Document has been made available, on a limited basis, to others outside ENC only as required and under suitable agreement providing for non-disclosure and limited use of the information.

11. ENC policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis. Checks are made routinely to assure the policy procedures are being met.

12. This Document provides information which reveals modeling techniques and thermal hydraulic data developed by ENC over the past several years. ENC has invested several hundred thousand dollars and several man-years of effort in the related data and modeling development, and fuel design efforts. Assuming a competitor had available the same background data and incentives as ENC, the competitor might, at a minimum, develop the information for the same expenditure of manpower and money as ENC.

13. Based on my experience in the industry, I do not believe that the background data and incentives of ENC's competitors are sufficiently similar to the corresponding background data and incentives of ENC to reasonably expect such competitors would be in a position to duplicate ENC's proprietary information contained in the Document.

THAT the statements made hereinabove are, to the best of my knowledge, information, and belief, truthful and complete.

FURTHER AFFIANT SAYETH NOT.

James H. Morgan

SWORN TO AND SUBSCRIBED

before me this 30 day of

November, 1971.

James H. Morgan  
NOTARY PUBLIC