

BALTIMORE GAS AND ELECTRIC COMPANY

GAS AND ELECTRIC BUILDING
BALTIMORE, MARYLAND 21203

ARTHUR E. LUNDVALL, JR.
VICE PRESIDENT
SUPPLY

May 31, 1979

Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attn: Mr. Robert W. Reid, Chief
Operating Reactors Branch #4
Division of Operating Reactors

Subject: Calvert Cliffs Nuclear Power Plant
Unit No. 1, Docket No. 50-317
Supplement No. 5 to Fourth Cycle Reload
Amendment Application
CEA Sleeved Guide Tube Inspection Results

Reference: a) BG&E letter dated 2/23/79 from Lundvall
to Reid, Fourth Cycle License Application

Gentlemen:

Enclosed are the following documents:

- (a) CEN-111(B)-P "Sleeved Fuel Assembly Inspection Results at
Calvert Cliffs Unit 1" (proprietary copies 4-43)
- (b) CEN-111(B)-NP Non-proprietary version of (a), 20 copies.
- (c) Proprietary Affidavit executed by Combustion Engineering, Inc. in
support of this request to withhold the contents of Enclosure (a)
from public disclosure pursuant to 10 CFR Part 2.790 (40 copies).

We have determined that this submittal constitutes supplementary
information pertaining to a previously submitted application for an amend-
ment and that no additional fee is required pursuant to 10 CFR Part 170.
Please note that the information contained in Enclosure (a) is identical to
that submitted to your Mr. E. L. Conner, Jr. informally by memo dated 5/24/79.

Very truly yours,

cc: J. A. Biddison, Esquire
G. F. Trowbridge, Esquire
Mr. E. L. Conner, Jr. - NRC
Mr. P. W. Kruse - CE (w/o encl)

7906040248

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 Baltimore Gas and Electric Company for withholding this information.

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

CEN 111 (B)-P, Sleeved Fuel Assembly Inspection Results At Calvert Cliffs Units I May, 1979.

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 is specific test results and design characteristics, 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 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 obtaining access to test reactor facilities and conducting extensive in-pile testing.

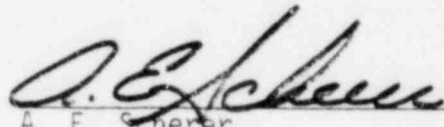
d. The information required significant effort and expense to obtain the licensing approvals necessary for application of the information. Avoidance of this expense would decrease a competitor's cost in applying the information and marketing the product to which the information is applicable.

e. The information consists of specific test results and design characteristics, including test data relative to a process, method or apparatus, 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.

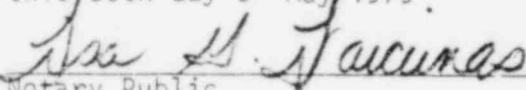
Further the deponent sayeth not.


A. E. Scherer

Manager, Licensing

Sworn to before me

this 30th day of May 1979.


Notary Public

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