

Docket No.: STN-50-470

October 2, 1981  
LD-81-066

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

Subject: System 80 Guide Tube Wear Resolution

Enclosure: Syllabus of Slides Presented at September 24, 1981 Meeting with  
NRC Staff

Dear Mr. Miller:

Transmitted herewith is a copy of the set of slides (proprietary set and non-proprietary set) presented at the September 24, 1981 meeting with the NRC Staff on System 80 Guide Tube Wear Resolution. The enclosure is transmitted for the staff review of the CESSAR Final Safety Analysis Report.

Due to the proprietary nature of the material contained in the enclosure, we request that it be withheld from public disclosure in accordance with the provisions of 10 CFR 2.790 and that this material be safeguarded. The reasons for the proprietary classification of this report are delineated in the enclosed affidavit.

Very truly yours,

COMBUSTION ENGINEERING, INC.

A. E. Scherer  
Director  
Nuclear Licensing

AES:dac

cc: D. A. Powers (w/att.)

*Handwritten notes:*  
E003  
S/1  
CHANGE: E  
LPDR 1 NP  
NSIC 1 NP  
NRS 1 NP  
NRE PDR 1 NP

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 CESSAR, for withholding this information.

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

Syllabus of Slides, Sept. 24, 1981 Meeting on Sys 80 Guide Tube Wear Resolution

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 the mechanical design changes, and supporting test results, which mitigate guide tube wear in the System 80 fuel design, 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 manhours 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 performing the necessary research and hardware testing required to support a similar design.

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.

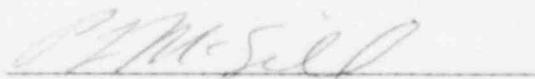
e. The information consists of flow test results and a detailed description of the fuel mechanical design features related to guide tube wear, the application of which provides a competitive economic advantage. The availability of such information to competitors would enable them to modify their product 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 2nd day of October, 1981



Notary Public

DAWN E. SANDER, NOTARY PUBLIC  
State of Connecticut No. 61536  
Commission Expires March 31, 1986