



LOUISIANA
POWER & LIGHT

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MIDDLE SOUTH
UTILITIES SYSTEM

L.V. MAURIN
Vice President Nuclear Operations

March 29, 1982

W3P82-0752
3-A1.01.04
Q-3-A29-20
Q-3-C31.02

Mr. R. L. Tedesco
Assistant Director of Licensing
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555



SUBJECT: Louisiana Power & Light Company
Waterford Steam Electric Station - Unit No. 3
CPC/CEAC/Reactor Power Cutback

Reference: (a) LD-81-077, October 30, 1981

- Enclosures:
- (1) Proprietary Report CEN-195(c)-P, "CPC/CEAC Protection Algorithm Test Plan", March, 1982
 - (2) CEN-197(c)-P, "CPC/CEAC Software Modifications for Waterford Unit No. 3", March, 1982
 - (3) CEN-200-P, "Safety Evaluation of the Reactor Power Cutback System", March, 1982
 - (4) Affidavit of proprietary status pursuant to 10CFR 2.790

Dear Mr. Tedesco:

The NRC staff identified, in Question 221.15, specific information regarding the CPC/CEAC system which was required for their review prior to issuance of an OL. This information is also identified in Section 4.4.1 of the Safety Evaluation Report (NUREG-0787, July, 1981).

Subsequently, LP&L and Combustion Engineering met with the NRC staff on October 2, 1981, to discuss the CPC software improvements anticipated to accommodate the Reactor Power Cutback System. The staff identified additional information which would be needed in advance of OL issuance as the result of these changes, and a schedule was discussed with the staff and submitted in reference (a).

In fulfillment of the commitments made in reference (a), copies 0001 through 0003 of Enclosures (1), (2), and (3) are transmitted herewith. Non-proprietary copies are also attached.

*Add: ASAP
Joe Holonich
Jack Rosenthak*

*Bool
5/19 Prop
9 Non-Prop*

Change:	Ltr	Encl
POR	1	NP
LPOR	1	NP
NSIC	1	NP
NTIS	1	NP

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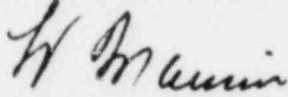
Please be advised that the data listed in Enclosure (1), (2), and (3) contains information which is proprietary to C-E. Pursuant to Section 2.790 10 CFR part 2, you are requested to withhold this information from public disclosure. An affidavit attesting to the proprietary nature of the material is provided as Enclosure (4). Also, in accordance with 10 CFR Section 2.790(b), we recognize that withholding this information from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the information.

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

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

We also request that you provide a copy of any questions concerning the proprietary nature of this submittal to Louisiana Power & Light Company.

Yours very truly,


L. V. Maurin

LVM/RMF/jal

cc: W. M. Stevenson, E. L. Blake, S. Black

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 Louisiana Power and Light Company, for withholding this information.

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

CEN-195(C)-P, CPC/CEAC Protection Algorithm Test Plan, March, 1982.

CEN-197(C)-P, CPC/CEAC Software Modification for Waterford Unit 3, March, 1982.

CEN-200-P, Safety Evaluation of the Reactor Power Cutback System.

These documents have 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 CPC/CEAC algorithm, algorithm testing, test data and software modifications as well as the conservatisms in and quantitative results of the safety evaluation of the Reactor Power Cutback System modification and the resulting plant margins, 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 document 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 tens 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 developing and evaluating a CPC/CEAC algorithm test program, developing a CPC/CEAC software change and conducting a safety evaluation of the Reactor Power Cutback System.


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 the CPC/CEAC algorithm, algorithm testing, test data and software modifications as well as the conservatisms in and qualitative results of the safety evaluation of the Reactor Power Cutback System modification and the resulting plant margins, 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 30th day of March, 1982


 Notary Public

DAWN E. SANDER, NOTARY PUBLIC
 State of Connecticut No. 61535
 Commission Expires March 31, 1986