ABB

December 3, 1993
LD-93-171

Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Subject: Submittal of Small Break LOCA Realistic Evaluation Model Topical Report

Reference: Letter LD-93-141, S. A. Toelle (ABB-CE) to R.C. Jones (NRC), dated September 29, 1993

Dear Sir:

With this letter, ABB Combustion Engineering (ABB-CE) submits as Enclosure I twenty-three copies of Volume II, with Supplements 1 and 2, and Volume III of Topical Report CEN 420-P, "Small Break LOCA Realistic Evaluation Model," for NRC review and approval.

Material contained in this Topical Report is proprietary to ABB-CE. As such, we request that it be withheld from public disclosure in accordance with the provisions of 10 CFR 2.790 and that this material be appropriately safeguarded. The reasons for the classification of this information as proprietary are delineated in an affidavit provided as Enclosure II.

Volume II of the enclosed Topical Report describes the verification and uncertainty evaluation performed to validate the realistic evaluation model. Supplements 1 and 2 to this volume provide the application of this model to the Calvert Cliffs 1 & 2 and Arkansas Nuclear One-2 nuclear units, respectively. Volume III provides a description of the computer code input and output data.

The methodology employed in this Topical Report is consistent with the revision to 10 CFR 50 Appendix K, "ECCS Evaluation Models," published in the Federal Register on September 16, 1988 (53FR35996). This submittal, along with Volume I submitted in the Reference, completes the information pertaining to the ABB-CE Realistic Evaluation Methodology for Small Break LOCA.

We believe that the review process for this Topical Report can be facilitated by periodic meetings between the NRC reviewers and ABB-CE to resolve any technical issues which may arise. We will contact the NRC staff early in 1994 to arrange these meetings.

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EXTRA cys TO K. Bohrer

ABB Combustion Engineering Nuclear Power

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In the meantime, if you have any questions pertaining to the review of this Topical Report please do not hesitate to call me or Mr. Mario Robles of my staff at (203) 285-5215.

Very truly yours,

S. A. Toelle

S. A. Toelle
Manager
Nuclear Licensing

mr/lw

Enclosures: I (copies 1-23)
II

cc: R. C. Jones (JSNRC)
F. R. Orr (USNRC)
R. F. Burski (Entergy Operations)
B. Daiber (Entergy Operations)
J. Holman (Entergy Operations)
J. A. Mihalcik (BG&E)

AFFIDAVIT PURSUANT

TO 10 CFR 2.790

Combustion Engineering, Inc.)
State of Connecticut)
County of Hartford) SS.:

I, S. A. Toelle, depose and say that I am the Manager, Nuclear 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 for withholding this information.

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

1) CEN 420-P, Volume II, "Small Break LOCA Realistic Evaluation Model - Verification, Uncertainty Evaluation and Plant Application," November 1993.

2) CEN 420-P, Volume II, Supplement 1-P, "Small Break LOCA Realistic Evaluation Model - Application of Realistic Evaluation Model to Calvert Cliffs Units 1 & 2," November 1993.

3) CEN 420-P, Volume II, Supplement 2-P, "Small Break LOCA Realistic Evaluation Model - Application of Realistic Evaluation Model to ANO-2," November 1993.

4) CEN 420-P, Volume III, "Small Break LOCA Realistic Evaluation Model - Computer Program Input and Output Description," November 1993.

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, which is owned and has been held in confidence by Combustion Engineering, is the calculational technique, supporting data, and specific inputs and results used for the realistic evaluation of small break LOCA analysis of nuclear power plants.

2. The information consists of test data or other similar data concerning a process, method or component, the application of which results in 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 is 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 reactor 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 to develop the calculational technique, supporting data, and specific inputs and results used for the realistic evaluation of small break LOCA analysis of nuclear power plants.

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 calculational technique, supporting data, and specific inputs and results used for the realistic evaluation of small break LOCA analysis of nuclear power plants, 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.

S. A. Toelle

S. A. Toelle
Manager
Nuclear Licensing

Sworn to before me
this 3rd day of December, 1993

Laurie J. White
Notary Public

My commission expires: 3-31-94