

EXXON NUCLEAR COMPANY, Inc.

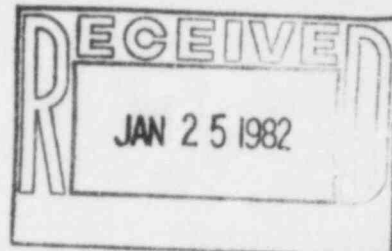
2101 Horn Rapids Road

P. O. Box 130, Richland, Washington 99352

Phone: (509) 375-8100 Telex: 15-2878

January 20, 1982

Mr. U. Potapovs, Vendor Inspection Branch
United States Nuclear Regulatory Commission
Region IV, Vendor Inspection Branch
611 Ryan Plaza Drive, Suite 1000
Arlington, TX 76011



Dear Mr. Potapovs:

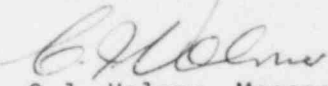
This letter refers to NRC Docket No. 99900081/81-01, which transmits the results of a QA Program inspection conducted by Mr. W.M. McNeill from Region IV, Vendor Inspection Branch on October 27-29, 1981. Exxon Nuclear Company, Inc. (herein referred to as ENC) has reviewed the subject docket and has concluded that specific portions of the information contained in the report and enclosures is exempt from disclosure under the provisions contained in 10 CFR 9.5 (a)(4) and 10 CFR 2.790 (a)(4).

ENC's concern is based on a review of 10 CFR 9.4, which states in part, "Any identifiable record, whether in the possession of the NRC, its contractor, its subcontractor, or others, shall be made available for inspection and copying pursuant to the provisions of this part, upon request of any member of the public...". This language implies that the above report, when it is placed in the public document room, would be subject to a Freedom of Information Act request. Since many of the documents listed in the report and/or enclosures contain ENC proprietary and/or commercially sensitive information which, if disclosed, would result in an unfair competitive advantage, it is specifically requested that the following information not be disclosed to the public:

<u>Information</u>	<u>Location In Docket</u>
Product Spec XN-NF-535018, Rev. 0	Appendix A
Quality Control Plan M-75011, Rev. 4	" A
Process Outline M-75011, Rev. 4	" A
Purchase Order R-010411	" A
"Fuel Clad Lots 15123 thru 15128"	" A
Product Specification XN-NF-525018, Page 2 of 3 from report	" B
All information on "Documents Examined" Form, Pages 2, 3, 4 of 4	" C

If you have any questions concerning this request for protection of ENC proprietary and/or commercially sensitive information, please contact me at 509-375-8257.

Sincerely,


C.J. Volmer, Manager
Quality Assurance

CJV:ETJ:rd
Affidavit attached

8211100372 821025
PDR QA999 EMVEXXN
99900081 PDR

AN AFFILIATE OF EXXON CORPORATION

A F F I D A V I T

State of Washington)
County of Benton) ss.

I, Carl J. Volmer, being duly sworn, hereby say and depose on this 20th day of January, 1982:

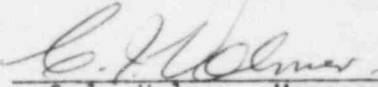
1. I am Manager, Quality Assurance, for Exxon Nuclear Company, Inc. (ENC) and have personal knowledge contained herein.
2. I am authorized to execute this affidavit for Exxon Nuclear Company, Inc.
3. I am familiar with ENC's detailed document control system and policies which govern the protection and control of information.
4. I am also familiar with the NRC Docket No. 99900081/81-01, dated December 14, 1981. Information referenced in this docket 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.
5. The Docket contains information of a proprietary/confidential nature, and is commercially sensitive to ENC, and is of the type customarily held in confidence by ENC and not made available to the public. Based on my experience of 19 1/2 years in the nuclear industry, I am aware that other companies regard information of the kind contained in the Docket as being proprietary, confidential, and commercially sensitive.

6. The Docket contains referenced information which is vital to a competitive advantage of ENC and would be helpful to competitors of ENC.
7. The information contained in the Docket is considered to be proprietary by ENC because it reveals certain distinguishing aspects of fuel mechanical design analysis methodology and results which secure competitive economic advantage to ENC for fuel 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.
8. The disclosure of the proprietary information contained in the Docket 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 fuel mechanical design analysis methodology, and would result in substantial harm to the competitive position of ENC.
9. The Docket contains references to 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 referenced documents 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.

12. This Docket provides referenced information which reveals ENC's fuel mechanical design analysis methodology developed by ENC over the past several years. ENC has invested hundreds of thousands of dollars and many man-years of effort in developing the methods and calculating the results revealed in the referenced documents. 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 referenced documents.

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

FURTHER AFFIANT SAYETH NOT.


C.J. Volmer, Manager

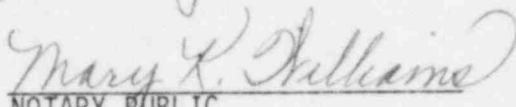
Quality Assurance

Exxon Nuclear Company, Inc.

SWORN TO AND SUBSCRIBED

before me this 20th day of

January, 1982.


NOTARY PUBLIC