ABB

June 19, 1995
NFBWR-95-079

LTR: CENPD-294-P

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

ATTN: Chief, Planning
Program and Management Support Branch

Subject: Transmittal of CENPD-294-P "Thermal Hydraulic Stability Methods for Boiling Water Reactors" for NRC Review

Dear Sir:

Please find as Enclosure I twenty three (23) copies of the Licensing Topical Report CENPD-294-P titled, "Thermal Hydraulic Stability Methods for Boiling Water Reactors." CENPD-294-P is being submitted for NRC review and acceptance for referencing in licensing actions at a future date. Also provided are ten (15) non-proprietary copies of the Licensing Topical Report identified as CENPD-294-NP.

This Licensing Topical Report described the RAMONA-3 computer code and demonstrates its application for BWR stability analysis. This Licensing Topical Report is part of the ABB generic BWR reload licensing methodology intended to be used in support of SVEA-96 fuel deliveries commencing the beginning of 1996.

Some material in CENPD-294-P contains Combustion Engineering, Inc. proprietary information consisting of trade secrets, commercial, or financial information which we consider privileged or confidential pursuant to 10 CFR 2.790(4). In conformance with the requirements of 10

Two rids distribution TOTAL 15 pp.

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Combustion Engineering, Inc. | Post Office Box 500, 1000 Prospect Hill Road, Windsor, Connecticut 06095-0500 | Telephone 203-687-8001 | Fax 203-687-8002

TOTAL 20 pp.

CFR Section 2.790, as amended, of the Commission's regulations, we are submitting as Enclosure II an Affidavit supporting this request for Withholding Proprietary Information. The affidavit sets forth the basis on which the information may be withheld from public disclosure by the commission. Correspondence with respect to the Application for Withholding, should reference NFBWR-95-079 and be addressed to D. B. Ebeling-Koning, Manager of Licensing and Safety Analysis, BWR Fuel Operations, CEP 5330-AD07, ABB Combustion Engineering, 1000 Prospect Hill Road, Windsor, CT 06095.

Very truly yours,

D. B. Ebeling-Koning
Manager, Licensing and Safety Analysis
BWR Fuel Operations

cc: L. Phillips/NRC

Enclosure I: 23 copies CENPD-294-P (Copies No. 00001-00023)
5 copies CENPD-294-NP
Enclosure II: Affidavit

AFFIDAVIT PURSUANT

TO 10 CFR 2.790

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

I, D. B. Ebeling-Koning, depose and say that I am the Manager, Licensing and Safety Analysis, BWR Fuel Operations, 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 document:

CENPD-294-P, "Thermal Hydraulic Stability Methods for Boiling Water Reactors" June 1995.

This document has been appropriately designated as proprietary.

I have personal knowledge of the criteria and procedures utilized by Combustion Engineering, Inc. 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, Inc., includes plant measurements, analytical methodology, and analytical calculational results.

2. The information consists of inspection data or other similar data concerning a process, method or component, the application of which results in substantial competitive advantage to Combustion Engineering, Inc.

3. The information is of a type customarily held in confidence by Combustion Engineering, Inc. and not customarily disclosed to the public. Combustion Engineering, Inc. 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, Inc. because:

a. A similar product is manufactured and sold by major light water reactor competitors of Combustion Engineering, Inc.

b. Development of this information by Combustion Engineering, Inc. required tens of 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 plant measurements, analytical methodology, and analytical calculational results.

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 plant measurements, analytical methodology, and analytical calculational results, 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, Inc., take marketing or other actions to improve their product's position or impair the position of Combustion Engineering, Inc.'s product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.

f. In pricing Combustion Engineering, Inc.'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, Inc.'s potential for obtaining or maintaining foreign licensees.

Further the deponent sayeth not.

D. B. Ebeling-Koning
Manager, Licensing and Safety Analysis
BWR Fuel Operations

Sworn to before me
this 16th day of June, 1995

Laurie J. White
Notary Public

My commission expires: 8/31/99