

ABB

July 17, 1995
NFBWR-95-092

LTR: CENPD-288-P-RAI
NRC TAC No. M89663

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

ATTN: Chief, Planning
Program and Management Support Branch

Subject: Transmittal of CENPD-288-P-RAI providing Response to NRC
Request for Additional Information on "ABB Seismic/LOCA
Evaluation Methodology for Boiling Water Fuel."

Reference: 1. S. L. Wu (NRC) to D. Ebeling-Koning (ABB), "Request for
Additional Information on CENPD-288-P, 'ABB
Seismic/LOCA Evaluation Methodology for Boiling
Water Fuel'" June 20, 1995.

Dear Sir:

Please find as Enclosure I ten (10) copies of the Licensing Topical Report Supplement CENPD-288-P-RAI titled, "ABB Seismic/LOCA Evaluation Methodology for Boiling Water Fuel: Response to Request for Additional Information on Code Sensitivity for SVEA-96 Fuel." Licensing Topical Report Supplement CENPD-288-P-RAI provides responses to the NRC Requests for Additional Information transmitted in Reference 1. Also provided are five (5) non-proprietary copies of the Licensing Topical Report supplement identified as CENPD-288-NP-RAI.

This Supplement supports the NRC review of Licensing Topical Report CENPD-288-P, which describe the application of the ABB generic

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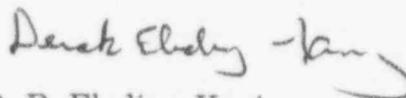
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Two RIPS 1007 1/10 Prof 1008 1/5 NP

seismic/LOCA evaluation methodology for BWR reload fuel. The Licensing Topical Report is part of the ABB generic BWR reload licensing methodology intended to be used in support of reload fuel deliveries commencing the beginning of 1996.

Some material in CENPD-288-P-RAI 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 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-94-092 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: S. L. Wu/NRC

Enclosure I: 10 Copies CENPD-288-P-RAI (Copy No. 0001-00010)

5 Copies CENPD-288-NP-RAI

Enclosure II: Affidavit

CENPD-288-NP-RAI
(NRC TAC No. M89663)

**ABB Seismic/LOCA Evaluation Methodology for Boiling Water Fuel:
Response to Request for Additional Information**

July 1995

ABB Combustion Engineering Nuclear Operations

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

Sworn to before me
this 17th day of July, 1995

Laurie J. White
Notary Public

My commission expires: 8/31/99

- 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 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 extensive test data, analysis 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 test data, analysis 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.

1. The information sought to be withheld from public disclosure, which is owned and has been held in confidence by Combustion Engineering, Inc., includes test data, analysis 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:

AFFIDAVIT PURSUANTTO 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-288-P-RAI, "ABB Seismic/LOCA Evaluation Methodology for Boiling Water Fuel: Response to Request for Additional Information," July 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.