



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

July 8, 1992

Docket No. 52-002

Mr. Charles B. Brinkman, Acting Director
Nuclear Systems Licensing
Combustion Engineering, Inc.
1000 Prospect Hill Road
Windsor, Connecticut 06095-0500

Dear Mr. Brinkman:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE,
COMBUSTION ENGINEERING, INC. (ABB-CE) LETTER LD-92-026
(TAC NO. M80912)

By your application dated February 19, 1992, and your affidavit dated February 20, 1992, you submitted two proprietary attachments to your response to our Request for Additional Information No. 722.22 and requested that they be withheld from public disclosure pursuant to 10 CFR 2.790.

You stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- a. A similar product is manufactured and sold by major pressurized water reactor competitors of ABB-CE.
- b. Development of this information by ABB-CE 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 computer code model and design data in the MAAP code input listings and data files.
- 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 MAAP computer code input listings and data files for System 80+ TM severe accident analysis, 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 ABB-CE, take marketing or other actions to improve their product's position or impair the position of ABB-CE's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.

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July 8, 1992

- f. In pricing ABB-CE's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of ABB-CE'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 ABB-CE's potential for obtaining or maintaining foreign licensees.

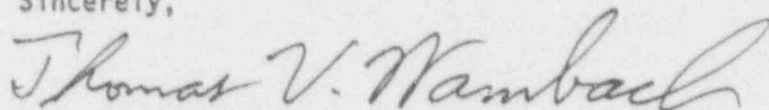
We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information.

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the Nuclear Regulatory Commission (NRC). You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,



Thomas V. Wambach, Senior Project Manager
Standardization Project Directorate
Associate Directorate for Advanced Reactors
and License Renewal
Office of Nuclear Reactor Regulation

cc: See next page

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Sincerely,

Thomas V. Wambach, Senior Project Manager
 Standardization Project Directorate
 Associate Directorate for Advanced Reactors
 and License Renewal
 Office of Nuclear Reactor Regulation

cc: See next page

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Combustion Engineering, Inc.

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