

August 30, 1985  
LD-85-044

George Knighton, Chief  
Licensing Branch No. 3  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Subject: CPC/CEAC Software Modifications for the CPC  
Improvement Program

- References: (1) CEN-302(S)-P, "CPC Improvement Program Detailed Presentation to the NRC," April, 1985.
- (2) CEN-305-P, "Functional Design Requirement for a Core Protection Calculator," July 1985.
- (3) CEN-304-P, "Functional Design Requirement for a Control Element Assembly Calculator," July 1985.

Dear Mr. Knighton:

The CPC Oversight Committee, consisting of Arizona Nuclear Power Project, Arkansas Power & Light Company, Louisiana Power & Light Company and Southern California Edison, with Combustion Engineering as its technical consultant, has met with the NRC staff on November 8, 1984, March 8, 1985 and April 18, 1985 to discuss a program of CPC Modifications and Methodology Improvements scheduled for implementation in 1986 and 1987 (Reference (1)). The purpose of this letter is to submit to the NRC for staff review the detailed modifications to the CPC and CEAC functional design specifications resulting from this program (Enclosures (A)) and (B)). This submittal describes the changes to the CPC and CEAC functional design requirements (References (2) and (3)).

Combustion Engineering is submitting these documents on behalf of the CPC Oversight Committee and is requesting NRC review of the documents on a schedule consistent with initial implementation for SONGS 2 Cycle 3 (February 1986). This submittal is not applicable to any individual licensee until the submittal is referenced by that licensee for use on his docket. Enclosure (A) has been referenced by Southern California Edison Company in their SONGS 2 Cycle 3 reload licensing submittal. It is requested that any questions you have within the scope of these submittals be addressed to the Chairman of the CPC Oversight Committee, with copies to each Committee member and C-E. The list of individuals to whom copies should be addressed is attached.

USE: DOCKET NO'S.

50-368  
50-528/529/530  
50-361/362  
50-382

PER PM,  
H. ROOD

Chg: 24X  
LPDR  
PDR  
NSIC  
PNL

NON PROP

PRO? DIST:  
CORE REF. BRANCH 5045  
H. ROOD 1 CY  
J. WILSON 1 CY  
BOB LEE 1 CY  
E. LITTEA 1 CY

Box 1  
1/9 new prop  
1/9 prop  
Rec'd w/prop C-Eng

Mr. George Knighton  
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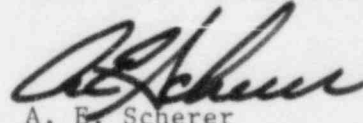
Enclosure (A) contains information considered by C-E to be proprietary in nature. As such, we request that it be withheld from public disclosure in accordance with the provisions of 10 CFR 2.790 and that this material be safeguarded. The reasons for the classification of this material as proprietary are delineated in the affidavit provided in Enclosure (C).

Enclosed herewith is a check for \$150.00 to cover the application fee for review of Enclosure (A).

Should you have any questions on the contents of this letter, please contact me or Mr. H. C. Irwin of my staff at (203)-285-5210.

Very truly yours,

COMBUSTION ENGINEERING, INC.



A. E. Scherer  
Director  
Nuclear Licensing

AES:pat

Attachment

- Enclosures:
- (A) CEN-308-P, Rev. 00-P, "CPC/CEAC Software Modifications for the CPC Improvement Program," August 1985: Copies 0001 thru 0009.
  - (B) CEN-308-NP, "CPC/CEAC Software Modifications for the CPC Improvement Program," August 1985: 9 copies attached.
  - (C) Affidavit Attesting to the Proprietary Nature of CEN-308-P.

Correspondence List

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AFFIDAVIT PURSUANT

TO 10 CFR 2.790

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

I, P. L. McGill, depose and say that I am the Vice President, Nuclear Systems, 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:

CEN-304-P, Functional Design Requirement for a Control Element Assembly Calculator, July 1985.

CEN-305-P, Functional Design Requirement for a Core Protection Calculator, July 1985.

This document has 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 are the functional design requirements for a core protection calculator and a control element assembly calculator, which describe the algorithms used by the calculators and the definition of all variables, which is owned and has been held in confidence by Combustion Engineering.

2. The information consists of test data or other similar data concerning a process, method or component, the application of which results in a 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 are 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 hundreds of thousands of manhours of effort and millions 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 related to the development of similar functional design requirements, methodologies, and algorithms.

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 functional design requirements for a core protection calculator and a control element assembly calculator, which describe the methodologies and algorithms used by the calculators, and definitions of all variables, 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.

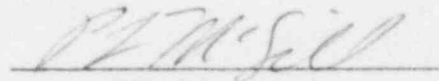
f. In pricing Combustion Engineering's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of Combustion Engineering's competitors to utilize such information



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.

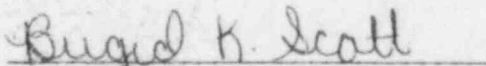
Further the deponent sayeth not.



P. L. McGill  
Vice President  
Nuclear Systems

Sworn to before me

this 7<sup>th</sup> day of August 1985



Notary Public

BRIGID K. SCOTT, NOTARY PUBLIC  
State of Connecticut No. 73487  
Commission Expires March 31, 1990