

COMBUSTION ENGINEERING

January 22, 1988
LD-88-008

Docket No. STN 50-470F

Mr. Guy S. Vissing, Program Manager
Standardization and Non-Power
Reactor Project Directorate
Attn: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Subject: Probabilistic Risk Assessment for the System 80^R Design

Enclosures: (1)-P "Base Line Level 1 Probabilistic Risk Assessment
for the System 80^R NSSS Design", January 1988
(Copy Nos. 00001-00006)

(2) Proprietary Affidavit

Dear Mr. Vissing:

The purpose of this letter is to transmit six (6) copies of a report on the Probabilistic Risk Assessment (PRA) for the System 80^R design. The enclosed reports are being provided only as background information for our Design Certification Program.

The enclosed report presents the methodology and results of the System 80 PRA. This PRA will be used during the design process to evaluate design trade-offs for the System 80^R Standard Design. Those results are considered by Combustion Engineering to be proprietary in nature. As such, we request that they be withheld from public disclosure in accordance with the provisions of 10 CFR 2.790 and that this material be safeguarded accordingly. The reasons for the classification of this material as proprietary are delineated in the affidavit provided in Enclosure (2).

*E003
1/6 Prop
Encls*

Per: G. Kelly

Change:

LPDR	4	Encl
POR	1	0
NSIC	1	0
PNL	1	0
BNL	1	0

Encls To:

Glen Kelly	- 1
E. Chelkiah	- 3
G. Vissing	- 1
Reg Files	- 1

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8801280263 880122
PDR ADOCK 05000470
A PDR

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If you have any questions regarding this matter, please do not hesitate to call me or Mr. S. E. Ritterbusch of my staff at (203) 285-5206.

Very truly yours,

COMBUSTION ENGINEERING, INC.



A. E. Scherer
Director
Nuclear Licensing

AES:blr
Enclosures

Enclosure (2)
to LD-88-008

Affidavit Pursuant to 10 CFR 2.790

AFFIDAVIT PURSUANT

TO 10 CFR 2.790

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

I, A. E. Scherer, depose and say that I am the Director, Nuclear Licensing, 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:

- 1) "Base Line Level 1 Probabilistic Risk Assessment for the System 80^R NSSS Design", Combustion Engineering, Inc., January 1988.

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 numerical results of the System 80^R Probabilistic Risk Assessment, 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 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 thousands of hours of labor 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 reported numerical results of the System 80^R Probabilistic Risk Assessment.

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 numerical results of the System 80^R Probabilistic Risk Assessment, 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.

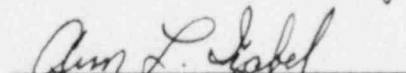
g. Use of the information by competitors in the international marketplace would increase their ability to market nuclear steam supply systems by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on Combustion Engineering's potential for obtaining or maintaining foreign licensees.

Further the deponent sayeth not.



A. E. Scherer
Director
Nuclear Licensing

Sworn to before me
this 22 day of *January*, 1988


Notary Public

THIS 22 DAY OF JANUARY, 1988.
ANN L. IZABEL, NOTARY PUBLIC
STATE OF CONNECTICUT NO. 81559
COMMISSION EXPIRES MARCH 31, 1992