



COMBUSTION ENGINEERING OWNERS GROUP

Arizona Public Service Co.
Palo Verde 1, 2, 3
Arkansas Power & Light Co.
ANO 2

Baltimore Gas & Electric Co.
Calvert Cliffs 1, 2
Consumers Power Co.
Palisades

Florida Power & Light Co.
St. Lucie 1, 2
Louisiana Power & Light Co.
Waterford 3

Maine Yankee Atomic Power Co.
Maine Yankee
Northeast Utilities Service Co.
Millstone 2

Omaha Public Power District
Ft. Calhoun
Southern California Edison Co.
SONGS 2, 3

Dr. Joseph K. Gasper, Chairman/c/o Omaha Public Power District/1623 Harne /Omaha, NE 68102

December 18, 1987
CEOG-87-758

10CFR50, App. K/II.K.3.30

Mr. James A. Norberg
Division of Engineering and System Technology
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D.C. 20555

Subject: Transmittal of NRC Accepted Versions of CEN-203
Regarding TMI Action Plan Item II.K.3.30

References: A) NRC letter, C. O. Thomas (NRC) to R. W. Wells
(CEOG), June 20, 1986

B) NRC letter, D. M. Crutchfield (NRC) to
J. K. Gasper (CEOG), February 11, 1987

Dear Mr. Norberg:

In accordance with the procedures established in NUREG-0390, the Combustion Engineering Owners Group (CEOG) is providing herewith accepted versions of topical report revisions and supplements which were produced in closing out NRC TMI Action Plan Item II.K.3.30 regarding the justification of small break LOCA methods.

Safety evaluations issued by the NRC in References A and B have found the information provided in Enclosures A through H to be acceptable for referencing in licensing applications wherein the Combustion Engineering small break LOCA evaluation model is employed.

Information contained in Enclosures A, C and E is considered by Combustion Engineering, Inc. to be proprietary in nature. As such, we request that it be withheld from public disclosure in accordance with 10 CFR 2.790 and that this material be safeguarded. The reasons for the classification of this material as proprietary are delineated in the enclosed affidavit.

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PDR TOPRP EMVC-E
B PDR

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Rids
1007
1/23 Ea Encls
A, C, E, G & H
1008
1/23 Ea Encls
B, D & F

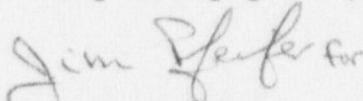
Mr. James A. Norberg
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In accordance with Dr. J. K. Gasper's letter of October 23, 1986, to Mr. Frank Miraglia, submittals made by the CEOG to the NRC are not applicable to any individual licensee until the submittal is referenced by that licensee for use on his docket. Should the NRC have questions within the scope of any CEOG submittals, they should be addressed to the Owners Group Chairman with copies to the appropriate Owners Group Subcommittee chairman, C-E and each Owners Group member.

If you have any questions on this matter, please do not hesitate to call me at (402) 533-6775.

Very truly yours,


J. K. Gasper
Chairman
C-E Owners Group

JKG/cm
Enclosures

cc: CEOG
Mr. James W. Pfeifer, C-E
Mr. Robert Evans, NUMARC w/o encl.

December 18, 1987
CEOG-87-758

- Enclosures: A) CEN-203-P, Rev. 1-P-A, Response to NRC Action Plan Item II.K.3.30 Justification of Small Break LOCA Methods (Copy Nos. 0009 to 0031)
- B) CEN-203-NP, Rev. 1-NP-A, Response to NRC Action Plan Item II.K.3.30 Justification of Small Break LOCA Methods (23 Copies)
- C) CEN-203-P, Rev. 1-P, Sup. 1-P-A, Response to NRC Request Number 1 for Additional Information on C-E Report CEN-203-P, Rev. 1-P (Response to NRC Action Plan Item II.K.3.30, Justification of Small Break LOCA Methods) (Copy Nos. 0009 to 0031)
- D) CEN-203-NP, Rev. 1-NP, Sup. 1-NP-A, Response to NRC Request Number 1 for Additional Information on C-E Report CEN-203-P, Rev. 1-P (Response to NRC Action Plan Item II.K.3.30, Justification of Small Break LOCA Methods) (23 Copies)
- E) CEN-203-P, Rev. 1-P, Sup. 2-P-A, Further Response to NRC Request Number 1 for Additional Information on C-E Report CEN-203-P, Rev. 1-P (Response to NRC Action Plan Item II.K.3.30, Justification of Small Break LOCA Methods) (Copy Nos. 0009 to 0031)
- F) CEN-203-NP, Rev. 1-NP, Sup. 2-NP-A, Further Response to NRC Request Number 1 for Additional Information on C-E Report CEN-203-P, Rev. 1-P (Response to NRC Action Plan Item II.K.3.30, Justification of Small Break LOCA Methods) (23 Copies)
- G) CEN-203-P, Rev. 1-P, Sup. 3-A, Post-Test Analysis of Semiscale Test S-UT-8, Response to NRC's Conditional SER Issued June 20, 1985 on the Justification of C-E Small Break LOCA Methods (23 Copies)
- H) CEN-203-P, Rev. 1-P, Sup. 4-A, Response to NRC Request for Additional Information for Verification of Analysis Methods for Small Break LOCA's (23 Copies)
- I) Proprietary Affidavit

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 documents:

- (1) CEN-203-P, Rev. 1-P-A, Response to NRC Action Plan Item II.K.3.30
Justification of Small Break LOCA Methods, March 1982
- (2) CEN-203-P, Rev. 1-P, Sup. 1-P-A, Response to NRC Request Number 1 for
Additional Information on C-E Report CEN-203-P, Rev. 1-P (Response to NRC
Action Plan Item II.K.3.30, Justification of Small Break LOCA Methods),
February 1984
- (3) CEN-203-P, Rev. 1-P, Sup. 2-P-A, Further Response to NRC Request Number 1
for Additional Information on C-E Report CEN-203-P, Rev. 1-P (Response to
NRC Action Plan Item II.K.3.30, Justification of Small Break LOCA
Methods), November 1986

These documents have 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 an evaluation model and an advanced best estimate model for small break Loss of Coolant Accident analysis, 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 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 related to the development of an evaluation model and an advanced best estimate model for small break Loss of Coolant Accident Analysis.

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 an evaluation model and an advanced best estimate model for small break Loss of Coolant 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 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.

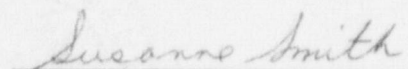
g. Use of the information by competitors in the international marketplace would increase their ability to market nuclear steam supply systems by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on Combustion Engineering's potential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

Further the deponent sayeth not.



A. E. Scherer
Director
Nuclear Licensing

Sworn to before me
this 18TH day of December, 1987.


Notary Public

SUSANNE SMITH, NOTARY PUBLIC
State of Connecticut No. 74148
Commission Expires March 31, 1990