



Westinghouse Electric Company  
CE Nuclear Power LLC

2000 Day Hill Road  
Windsor, CT 06095  
USA

June 5, 2000  
LD-2000-0036

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

ATTN: Chief, Information Management Branch, Division of Inspection and  
Support Programs

SUBJECT: SUBMITTAL OF CRITICAL HEAT FLUX TOPICAL REPORT "-A" APPROVED  
VERSION

Reference: NRC Letter, S. A. Richards (NRC) to I. C. Rickard (ABB CENP),  
"Acceptance For Referencing Of CENPD-387-P, Revision-00-P, "ABB  
Critical Heat Flux Correlations for PWR Fuel" (TAC No. MA6109)", March  
16, 2000

Gentlemen:

By the referenced letter, the Nuclear Regulatory Commission (NRC) issued its Safety Evaluation Report (SER) for the CE Nuclear Power LLC (CENP) topical report CENPD-387-P, Rev. 00-P, "ABB Critical Heat Flux Correlations for PWR Fuel." In accordance with the SER and NUREG-0390, CENP herewith submits 15 copies (Nos. 1 to 15) of the proprietary "-A" accepted version of the topical report, CENPD-387-P-A, Rev. 000, and 12 non-proprietary copies, CENPD-387-NP-A, Rev. 000.

Please note that during the period between the NRC SER issuance and this approved topical report version submittal, the name of the original submitting company has been changed. ABB Combustion Engineering Nuclear Power, Inc. (ABB CENP) has become CE Nuclear Power LLC. Accordingly, the new company name appears on the approved version of the topical report.

CENP has determined that topical report CENPD-387-P-A, Rev. 000 contains proprietary information. Consequently, it is requested that the topical report be withheld from public disclosure in accordance with the provisions of 10 CFR 2.790 and that these copies be appropriately safeguarded. The reasons for the classification of this information as proprietary are delineated in the attached affidavit.

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If you have any questions regarding this matter, please do not hesitate to call George Hess of my staff at (860) 285-5218.

Very truly yours,  
CE NUCLEAR POWER LLC

A handwritten signature in black ink, appearing to read "Ian C. Rickard", written over the printed name.

Ian C. Rickard, Director  
Nuclear Licensing

cc: J. S. Cushing (NRC, letter only)

**AFFIDAVIT PURSUANT**

**TO 10 CFR 2.790**

I, Ian C. Rickard, depose and say that I am the Director, Nuclear Licensing, of CE Nuclear Power LLC (CENP), 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-387-P-A, Rev.00 – ABB Critical Heat Flux Correlations for PWR Fuel

This document has been appropriately designated as proprietary.

I have personal knowledge of the criteria and procedures utilized by of CENP 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, is owned and has been held in confidence by CENP. It consists of experimental test data and critical heat flux correlations developed for use in engineering analyses and licensing activities for CENP products and services.
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 CENP.
3. The information is of a type customarily held in confidence by CENP and not customarily disclosed to the public. CENP 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.

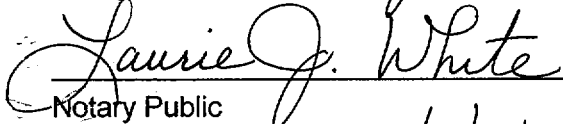
4. The information is being transmitted to the Commission in confidence under the provisions of 10 CFR 2.790 with the understanding that it is to be received in confidence by the Commission.
5. The information, to the best of my knowledge and belief, is not available in public sources, and any disclosure to third parties has been made pursuant to regulatory provisions or proprietary agreements that 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 CENP because:
  - a. A similar product is manufactured and sold by major pressurized and/or boiling water reactor competitors of CENP.
  - b. Development of this information by CENP required hundreds of thousands of dollars and thousands of man-hours of effort. 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 obtain the test data and to develop appropriate correlations for use with computer codes and licensing activities for CENP products and services.
  - d. The information consists of test data and suitable correlations developed for use with CENP products and services, 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 CENP, take marketing or other actions to improve their product's position or impair the position of CENP's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.
  - e. In pricing CENP's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of CENP's competitors to utilize such information without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.

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

Further the deponent sayeth not.

  
\_\_\_\_\_  
Ian C. Rickard  
Director, Nuclear Licensing

Sworn to before me  
this 2<sup>nd</sup> day of June, 2000

  
\_\_\_\_\_  
Notary Public  
My commission expires: 8/31/04