



FRAMATOME ANP

An AREVA and Siemens company

FRAMATOME ANP, Inc.

November 6, 2003
NRC:03:077


Document Control Desk
ATTN: Chief, Planning, Program and Management Support Branch
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Ameren UE Meeting with the NRC - November 12, 2003

A meeting has been scheduled by Ameren UE with the NRC for November 12, 2003 to discuss design details of a safety-related, digital I&C system planned for installation at Callaway. This I&C system is being developed by Framatome ANP, which will participate in the November 12 discussions. The material to be presented by Framatome ANP is proprietary in nature and an affidavit is enclosed in compliance with 10 CFR 2.790.

Also enclosed is a draft of the presentation material that Framatome ANP plans to discuss at the November 12 meeting.

Very truly yours,


James F. Mallay, Director
Regulatory Affairs

Enclosures

cc: J. N. Donohew
D. T. Wingbermuehle

T007

AFFIDAVIT

COMMONWEALTH OF VIRGINIA)
) ss.
CITY OF LYNCHBURG)

1. My name is James F. Mallay. I am Director, Regulatory Affairs, for Framatome ANP ("FANP"), and as such I am authorized to execute this Affidavit.

2. I am familiar with the criteria applied by FANP to determine whether certain FANP information is proprietary. I am familiar with the policies established by FANP to ensure the proper application of these criteria.

3. I am familiar with the FANP information contained in the draft presentation material to be discussed with and provided to the NRC in a meeting scheduled for November 12, 2003 concerning digital I&C upgrades at Callaway. This presentation material, consisting of numerous viewgraphs, a draft of which is enclosed, is referred to herein as "Document." Information contained in this Document has been classified by FANP as proprietary in accordance with the policies established by FANP for the control and protection of proprietary and confidential information.

4. This Document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by FANP and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in this Document as proprietary and confidential.

5. This Document has been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in this Document be withheld from public disclosure.

6. The following criteria are customarily applied by FANP to determine whether information should be classified as proprietary:

- (a) The information reveals details of FANP's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for FANP.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for FANP in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by FANP, would be helpful to competitors to FANP, and would likely cause substantial harm to the competitive position of FANP.

7. In accordance with FANP's policies governing the protection and control of information, proprietary information contained in this Document have been made available, on a limited basis, to others outside FANP only as required and under suitable agreement providing for nondisclosure and limited use of the information.

8. FANP policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

9. The foregoing statements are true and correct to the best of my knowledge,
information, and belief.

James P. Mally

SUBSCRIBED before me this 30th
day of October, 2003.

Ella F. Carr-Payne

Ella F. Carr-Payne
NOTARY PUBLIC, STATE OF VIRGINIA
MY COMMISSION EXPIRES: 8/31/05

