

REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR: 8011140103 DOC. DATE: 80/11/06 NOTARIZED: YES DOCKET #
 FACIL: 50-244 Robert Emmet Ginna Nuclear Plant, Unit 1, Rochester G 05000244
 AUTH. NAME AUTHOR AFFILIATION
 MAIER, J.E. Rochester Gas & Electric Corp.
 RECIP. NAME RECIPIENT AFFILIATION
 CRUTCHFIELD, D. Operating Reactors Branch 5

SUBJECT: Forwards proprietary version of, "Steam Generator Sleeves Development & Test Program." Rept describes test sleeves, verification program & safety analyses. Nonproprietary excerpt & affidavit encl. Rept withheld (ref 10CFR2.790).

DISTRIBUTION CODE: PA01S COPIES RECEIVED: LTR 1 ENCL 1 SIZE: 7+22
 TITLE: Proprietary Info. after Issuance of License

NOTES: 1 copy: SEP Sect., Ldr.

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

MEMORANDUM FOR: TERA CORPORATION
FROM: US NRC/TIDC/DOCUMENT MANAGEMENT BRANCH
SUBJECT: Special Document Handling Requirements

☐ 1.. Please use the following special distribution list for the attached document.

☒ 2. The attached document requires the following special considerations:

- ☐ Do not send oversize enclosures to the NRC PDR.
- ☐ Only one oversize enclosure was received - please return for Regulatory File storage.
- ☒ Proprietary information - send only non-proprietary portions to the NRC PDR.
- ☐ Other: (specify)

cc: DMB Files

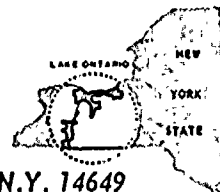

TIDC/DMB Authorized Signature

10-20-60



ROCHESTER GAS AND ELECTRIC CORPORATION • 89 EAST AVENUE, ROCHESTER, N.Y. 14649

JOHN E. MAIER
VICE PRESIDENT



November 6, 1980

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Director of Nuclear Reactor Regulation
Attention: Mr. Dennis M. Crutchfield, Chief
Operating Reactors Branch No. 5
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Subject: Steam Generator Sleeve Test Program
R. E. Ginna Nuclear Power Plant
Docket No. 50-244

Dear Mr. Crutchfield:

In our letter dated October 27, 1980, we informed you of our intention to install test sleeves in several steam generator tubes during our outage which began November 1, 1980. The attached report describes the test sleeves, our verification program, and the safety analyses which were performed to support the installation of the test sleeves. The report is deemed to be proprietary by its owner, Babcock and Wilcox Company.

As this submittal contains information proprietary to Babcock and Wilcox Company, it is supported by an affidavit signed by Babcock and Wilcox, the owner of the information. The affidavits set forth the basis on which the information may be withheld from public disclosure by the Commission and address with specificity the considerations listed in paragraph (b)(4) of Section 2.790 of the Commission's regulations.

Accordingly, it is respectfully requested that the information which is proprietary to Babcock and Wilcox be withheld from public disclosure in accordance with 10CFR Section 2.790 of the Commission's regulations.

The installation of test sleeves has been reviewed by the Plant Operations Review Committee and by the Nuclear Safety Audit and Review Board and it has been determined that no changes in Technical Specifications are required and no unreviewed safety questions are presented.

It has been determined that a change is required to the Ginna Inservice Inspection Program to permit sleeving instead of plugging for tubes which have defects exceeding the allowable. The required revision is being submitted by separate letter.

Very truly yours,

John E. Maier
John E. Maier

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PH 5/1
CHANGE: 2 E
NRC FOR : AFF
LPDR : AFF
NSIC : AFF

AFFIDAVIT OF JAMES H. TAYLOR

- A. My name is James H. Taylor. I am Manager of Licensing in the Nuclear Power Generation Division of Babcock and Wilcox, and as such I am authorized to execute this Affidavit.
- B. I am familiar with the criteria applied by Babcock and Wilcox to determine whether certain information of Babcock and Wilcox is proprietary and I am familiar with the procedures established within Babcock and Wilcox, particularly the Nuclear Power Generation Division (NPGD), to ensure the proper application of these criteria.
- C. In determining whether a Babcock and Wilcox document is to be classified as proprietary information, an initial determination is made by the unit manager who is responsible for originating the document as to whether it falls within the criteria set forth in Paragraph D hereof. If the information falls within any one of these criteria, it is classified as proprietary by the originating unit manager. This initial determination is reviewed by the cognizant section manager. If the document is designated as proprietary, it is reviewed again by Licensing personnel and other management within NPGD as designated by the Manager of Licensing to assure that the regulatory requirements of 10 CFR Section 2.790 are met.
- D. The following information is provided to demonstrate that the provisions of 10 CFR Section 2.790 of the Commission's regulations, have been considered:
- (i) The information has been held in confidence by the Babcock and Wilcox Company. Copies of the document are clearly identified as proprietary. In addition, whenever Babcock and Wilcox transmits the information to a customer, customer's agent, potential customer or regulatory agency, the transmittal requests the recipient to hold the information as proprietary. Also, in order to strictly limit any potential or customer's use of proprietary information, the following provision is included in all proposals submitted by Babcock and Wilcox, and an applicable version of the proprietary provision is included in all of Babcock and Wilcox's contracts:

"Purchaser may retain Company's proposal for use in connection with any contract resulting therefrom, and, for that purpose, make such copies thereof as may be necessary. Any proprietary information concerning Company's or its Suppliers' products or manufacturing processes which is so designated by Company or its Suppliers and disclosed to Purchaser incident to the performance of such contract shall remain the property of Company or its Suppliers and is disclosed in confidence, and Purchaser shall not publish or otherwise disclose it to others without the written approval of Company, and no rights, implied or otherwise, are granted to produce or have produced any products or to practice or cause to be practiced any manufacturing process covered thereby.

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AFFIDAVIT OF JAMES H. TAYLOR (Continued)

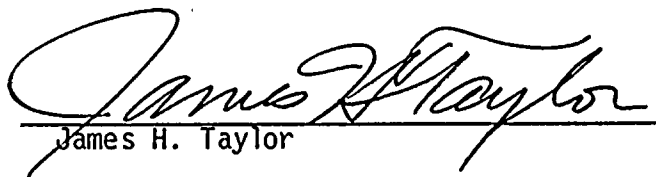
Notwithstanding the above, Purchaser may provide the NRC or any other regulatory agency with any such proprietary information as the NRC or such other agency may require; provided, however, that Purchaser shall first give Company written notice of such proposed disclosure and Company shall have the right to amend such proprietary information so as to make it non-proprietary. In the event that Company cannot amend such proprietary information, Purchaser shall, prior to disclosing such information, use its best efforts to obtain a commitment from NRC or such other agency to have such information withheld from public inspection. Company shall be given the right to participate in pursuit of such confidential treatment."

- (ii) The following criteria are customarily applied by Babcock and Wilcox in a rational decision process to determine whether the information should be classified as proprietary. Information may be classified as proprietary if one or more of the following criteria are met:
- a. Information reveals cost or price information, commercial strategies, production capabilities, or budget levels of Babcock and Wilcox, its customers or suppliers.
 - b. The information reveals data or material concerning Babcock and Wilcox research or development plans or programs of present or potential competitive advantage to Babcock and Wilcox.
 - c. The use of the information by a competitor would decrease his expenditures, in time or resources, in designing, producing or marketing a similar product.
 - d. The information consists of test data or other similar data concerning a process, method or component, the application of which results in a competitive advantage to Babcock and Wilcox.
 - e. The information reveals special aspects of a process, method, component or the like, the exclusive use of which results in a competitive advantage to Babcock and Wilcox.
 - f. The information contains ideas for which patent protection may be sought.

The document(s) listed on Exhibit "A", which is attached hereto and made a part hereof, has been evaluated in accordance with normal Babcock and Wilcox procedures with respect to classification and has been found to contain information which falls within one or more of the criteria enumerated above. Exhibit "B", which is attached hereto and made a part hereof, specifically identifies the criteria applicable to the document(s) listed in Exhibit "A".

AFFIDAVIT OF JAMES H. TAYLOR (Continued)

- (iii) The document(s) listed in Exhibit "A", which is being made available to the United States Nuclear Regulatory Commission is made available in confidence with a request that the document(s) and the information contained therein be withheld from public disclosure.
 - (iv) The information is not available in the open literature and to the best of our knowledge is not known by Combustion Engineering, EXXON, General Electric, Westinghouse or other current or potential domestic or foreign competitors of B&W.
 - (v) Specific information with regard to whether public disclosure of the information is likely to cause harm to the competitive position of Babcock and Wilcox, taking into account the value of the information to Babcock and Wilcox; the amount of effort or money expended by Babcock and Wilcox developing the information; and the ease or difficulty with which the information could be properly duplicated by others is given in Exhibit "B".
- E. I have personally reviewed the document(s) listed on Exhibit "A" and have found that it is considered proprietary by Babcock and Wilcox because it contains information which falls within one or more of the criteria enumerated in Paragraph D, and it is information which is customarily held in confidence and protected as proprietary information by Babcock and Wilcox. This report comprises information utilized by Babcock and Wilcox in its business which afford Babcock and Wilcox an opportunity to obtain a competitive advantage over those who may wish to know or use the information contained in the document(s).


James H. Taylor

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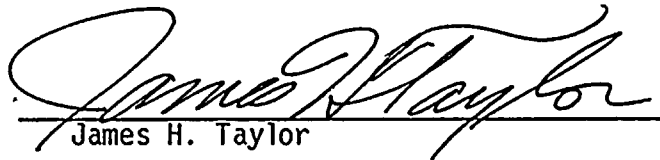
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State of Virginia)
City of Lynchburg)

SS. Lynchburg

James H. Taylor, being duly sworn, on his oath deposes and says that he is the person who subscribed his name to the foregoing statement, and that the matters and facts set forth in the statement are true.


James H. Taylor

Subscribed and sworn before me
this 6 day of November, 1980

Notary Public in and for the City
of Lynchburg, State of Virginia

My Commission Expires May 5, 1984


Notary Public

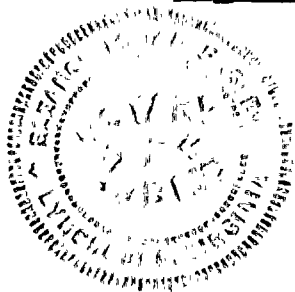




EXHIBIT A

STEAM GENERATOR SLEEVES
DEVELOPMENT AND TEST PROGRAM
GINNA STATION
NOVEMBER 5, 1980

EXHIBIT B

STEAM GENERATOR SLEEVES
DEVELOPMENT AND TEST PROGRAM
GINNA STATION
NOVEMBER 5, 1980

Proprietary Nature of Material

<u>Description of Material</u>	<u>Applicable Criteria</u>
II. A, B, C	b, c, e, f
III. B, C1, C3, C4, C5	
IV. A2 (page 13) Figure 1	
IV. A2 (page 12)	b, c, d, e, f

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