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AUTH.NAME AUTHOR AFFILIATION
BOUCHEY,G.D. Washington Public Power Supply System
RECIP.NAME RECIPIENT AFFILIATION
SCHWENCER,A. Licensing Branch 2

SUBJECT: Forwards GE affidavit indicating reasons why util 821223 ltr re fuel rod corrosion measures is proprietary.GE 830126 ltr re fuel rod control measures encl.

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Washington Public Power Supply System

P.O. Box 968 3000 George Washington Way Richland, Washington 99352 (509) 372-5000

March 28, 1983
G02-83-264
NS-L-02-CDT-83-034

Docket No. 50-397

Director of Nuclear Reactor Regulation
Attention: Mr. A. Schwencer, Chief
Licensing Branch No. 2
Division of Licensing
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

Dear Mr. Schwencer:

Subject: NUCLEAR PROJECT NO. 2
FUEL ROD CORROSION MEASURES
PROPRIETARY AFFIDAVIT

References:
1) G02-83-68, G. D. Bouchey (SS) to A. Schwencer (NRC), "Fuel Rod Corrosion Measures", dated January 26, 1983.

2) G02-82-862, G. D. Bouchey (SS) to A. Schwencer (NRC), "Request for Additional Information on Fuel Rod Corrosion Measures", dated December 23, 1982.

Reference 1 requested the NRC to withhold information transmitted via Reference 2 from public disclosure as it was of a proprietary nature.

Attached is a copy of the proprietary affidavit from General Electric Company stating the reasons for it being judged proprietary.

Very truly yours,

G. D. BOUCHEY
Manager, Nuclear Safety and Regulatory Programs

CDT/ct

cc: R Auluck - NRC
WS Chin - BPA
A Toth - NRC-Site

B001

~~EEG~~ Ltr and NP to: LPDR PDR NTIS NSIC

GENERAL ELECTRIC

NUCLEAR POWER

SYSTEMS DIVISION

GENERAL ELECTRIC COMPANY, 175 CURTNER AVE., SAN JOSE, CALIFORNIA 95125
MC 394, (408) 925-3382

Responds to: NA

January 26, 1983
GEWP-2-83- 19

RESPONSE REQUESTED BY: 2/25/83

cc: BA Holmberg 906D
LT Harrold 953
L Biddlecome 988W
DK Afflerbach 988W
LD Martin 927W
RE Baker 913E
RM Nelson 906D
KJ Lillman 906D
L Morfin 981R
LS (2) 917B

Mr. B. A. Holmberg
Manager, WNP-2 Engineering
Washington Public Power Supply System
P.O. Box 200
Mail Drop 906D
Richland, WA 99352

Dear Mr. Holmberg:

SUBJECT: W02808
WPPSS HANFORD 2 CONTRACT 2
FUEL ROD CORROSION MEASURES

This letter is to confirm our request of January 20, 1983 in a telephone conversation with your Mr. G. D. Bouchey that your letter of December 23, 1982 number G02-82-862 be withdrawn from the public record. This letter to the NRC contains General Electric proprietary information. Attached is an Affidavit of Glenn G. Sherwood requesting Washington Public Power Supply System have the NRC withhold the information from public disclosure in accordance with the provisions of 10CFR2.790. Please let us know by February 25, 1983 the actions you take in this regard.

Please see Licensing Action Notice 58, dated September 22, 1982, for General Electric's public response to the question of water side corrosion (NRC Question 231.06).

Should you have any questions, please call Pam Kingston or me. Thank you for your help in this matter.

Very truly yours,

F. A. MacLean
Project Manager
Hanford 2

FAM:pab/J01216

cc: M. M. Allison
G. D. Bouchey
H. H. Engelking
J. A. Forrest
J. J. Verderber
File No. 7.13

GEWP-2-83-19

GENERAL ELECTRIC COMPANY

AFFIDAVIT

I, Glenn G. Sherwood, duly sworn, depose and state as follows:

1. I am Glenn G. Sherwood, Manager, Nuclear Safety and Licensing Operation, General Electric Company, and have been delegated the function of reviewing the information described in paragraph 2 which is sought to be withheld and have been authorized to apply for its withholding.

2. The information sought to be withheld are those sections of the attached letter which are boxed and marked "GE Proprietary" in the right hand margin of the individual pages.

3. In designating material as proprietary, General Electric utilizes the definition of proprietary information and trade secrets set forth in the American Law Institute's Restatement Of Torts, Section 757. This definition provides:

> "A trade secret may consist of any formula, pattern, device or compilation of information which is used in one's business and which gives him an opportunity to obtain an advantage over competitors who do not know or use it.... A substantial element of secrecy must exist, so that, except by the use of improper means, there would be difficulty in acquiring information.... Some factors to be considered in determining whether given information is one's trade secret are: (1) the extent to which the information is known outside of his business; (2) the extent to which it is known by employees and others involved in his business; (3) the extent of measures taken by him to guard the secrecy of the information; (4) the value of the information to him and to his competitors; (5) the amount of effort or money expended by him in developing the information; (6) the ease or difficulty with which the information could be properly acquired or duplicated by others."

4. Some examples of categories of information which fit into the definition of proprietary information are:

   a. Information that discloses a process, method or apparatus where prevention of its use by General Electric's competitors without license from General Electric constitutes a competitive economic advantage over other companies;

   b. Information consisting of supporting data and analyses, including test data, relative to a process, method or apparatus, the application of which provide a competitive economic advantage, e.g., by optimization or improved marketability;

c. Information which if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality or licensing of a similar product;

d. Information which reveals cost or price information, production capacities, budget levels or commercial strategies of General Electric, its customers or suppliers;

e. Information which reveals aspects of past, present or future General Electric customer-funded development plans and programs of potential commercial value to General Electric;

f. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection;

g. Information which General Electric must treat as proprietary according to agreements with other parties.

5. In addition to proprietary treatment given to material meeting the standards enumerated above, General Electric customarily maintains in confidence preliminary and draft material which has not been subject to complete proprietary, technical and editorial review. This practice is based on the fact that draft documents often do not appropriately reflect all aspects of a problem, may contain tentative conclusions and may contain errors that can be corrected during normal review and approval procedures. Also, until the final document is completed it may not be possible to make any definitive determination as to its proprietary nature. General Electric is not generally willing to release such a document to the general public in such a preliminary form. Such documents are, however, on occasion furnished to the NRC staff on a confidential basis because it is General Electric's belief that it is in the public interest for the staff to be promptly furnished with significant or potentially significant information. Furnishing the document on a confidential basis pending completion of General Electric's internal review permits early acquaintance of the staff with the information while protecting General Electric's potential proprietary position and permitting General Electric to insure the public documents are technically accurate and correct.

6. Initial approval of proprietary treatment of a document is made by the Subsection Manager of the originating component, the man most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge. Access to such documents within the Company is limited on a "need to know" basis and such documents at all times are clearly identified as proprietary.

7. The procedure for approval of external release of such a document is reviewed by the Section Manager, Project Manager, Principal Scientist or other equivalent authority, by the Section Manager of the cognizant Marketing function (or his delegate) and by the Legal Operation for

technical content, competitive effect and determination of the accuracy of the proprietary designation in accordance with the standards enumerated above. Disclosures outside General Electric are generally limited to regulatory bodies, customers and potential customers and their agents, suppliers and licensees only in accordance with appropriate regulatory provisions or proprietary agreements.

8. The document mentioned in paragraph 2 above has been evaluated in accordance with the above criteria and procedures and has been found to contain information which is proprietary and which is customarily held in confidence by General Electric.

9. The material mentioned in Paragraph 2 above provides an engineering evaluation of the Crud Induced Localized Corrosion mechanism prevalent in waterside corrosion fuel failures. This analysis is proprietary to the General Electric Company.

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) ss:

Glenn G. Sherwood, duly sworn, deposes and says:

That he has read the foregoing affidavit and the matters stated therein are true and correct to the best of his knowledge, information, and belief.

Executed at San Jose, California, this 26 day of January, 1983.

Glenn G. Sherwood
General Electric Company

Subscribed and sworn before me this 26 day of January 1983.

OFFICIAL SEAL
KAREN S. VOGELHUBER
NOTARY PUBLIC - CALIFORNIA
SANTA CLARA COUNTY
My Commission Expires Dec. 21, 1984

NOTARY PUBLIC, STATE OF CALIFORNIA

rm/A01246
1/24/83

Internal Distribution

RL Ferguson - 387
GF Bailey - 520
LT Harrold - 906D
BA Holmberg w/o att. - 906D
JD Martin w/o att. - 927M

Docket No. 50-397

RG Matlock - 901A
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JM Yatabe - 410
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SF (2) - 917B (1 w/o; 1w/)
Chrono File - 905A
FM Files - 520

bcc: EF Beckett - NPI
WG Conn - B&R RO
A. Lageraaen - B&R NY
NS Reynolds - D&L
WNP-2 Files
P Kingston - GE CA

December 23, 1982
G02-82-862

Mr. A. Schwencer, Chief
Licensing Branch No. 2
Division of Licensing
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Schwencer:

Subject: REQUEST FOR ADDITIONAL INFORMATION ON FUEL ROD CORROSION MEASURES

Reference: NRC Letter, A. Schwencer (NRC) to RL Ferguson (SS) "Request for Additional Information on Fuel Corrosion Measures," dated August 9, 1982.

General Electric Company (GE) has determined that the Crud Induced Localized Corrosion (CILC) mechanism prevalent in the waterside corrosion fuel failures observed at Vermont Yankee and Hatch is a result of the combination of three factors. The factors are fuel duty, cladding material and reactor water environment. All three factors must be present in specific ways for this type of fuel failure to occur and modification or removal of any of the factors should prevent this type of fuel failure.

The key cladding material factor present in this failure mechanism is the material susceptibility to nodular corrosion. General Electric has developed a proprietary corrosion test which detects nodular corrosion resistance. Since implementing this test, they have found that 4 to 7 percent of the cladding material tested has low resistance to nodular corrosion. All cladding material processed by GE after January 1981 has been subject to this test.

GE Proprietary

12/23/82

AUTHOR:	WC Wolkenhauer	FOR SIGNATURE OF:			
ACTION					
CONCURRENCE OF	DL Ziemann	GF Bailey	DL Renberger	PK Shen	RM Nelson
APPROVED					
CONCURRENCE OF	CM Powers	BA Holmberg	JD Martin	GC Sorensen	LT Harrold
APPROVED					

8212290211

The Supply System will not utilize any GE Gd fuel pins which have not been subject to the GE test for nodular corrosion susceptibility. This will eliminate all susceptible clad from the WNP-2 environment. This action will prevent CILC fuel failures and is responsive to your concerns.

GE Proprietary

Very truly yours,

GDBouchey

G. D. Bouchey (MD 370)
Manager, Nuclear Safety
& Regulatory Programs

WCW:jms

cc: R. Auluck - NRC
WS Chin - BPA
R. Feil - NRC-Site