



General Electric Company
175 Curtner Avenue, San Jose, CA 95125

September 1, 1993
Letter WNP-2/ASD/505

Newell S. Porter
Manager-ASD/I&C Design
Washington Public Power Supply System
Plant WNP-2, Bldg. 81 (Downstairs)
Richland, WA 99352

Subject: WNP-2 RR ASD
Structural Evaluation of the Effects of the ASD on the WNP-2 Main Recirc Pump &
Motor (Report #GE-NE-523-94-0793, Rev. 1, Aug. 93)

Dear Newell:

This is the formal transmittal of the above subject report (4 copies). The report has been revised to Rev. 1 in accordance with the procedure for clarifying "Proprietary Information" in reports that are submitted to the NRC. There are no technical changes from Rev. 0.

Please note the statement added to the bottom of the second page, LEGAL NOTICES - CHANGES INCORPORATED ON REVISION 1.

Regards,

Roy Daniel
WNP-2 ASD Design Project Manager
(408)925-4709

WRD:rd
Daniel-2

Copies:

J. Wood	- KOP (w/o att.)
D. Kelly	- M/C 462 (w/o att.)
N. Horton	- M/C 481 (w/o att.)
M. McClain	- M/C 775 (w/o att.)
R. Talwar	- M/C 736 (w/o att.)
M. Wuesterfeld	- M/C 264 (w/o att.)
WRD LB	

GE NUCLEAR ENERGY
TECHNICAL SERVICES MEMO
Plant Licensing Projects

TO: J. Arbuckle
Washington Public Power Supply System

DATE: September 8, 1993
RTH:93-P05

FROM: R. T. Hill
Plant Licensing Services

SUBJECT: Proprietary Affidavit For WNP-2 ASD Structural Evaluation Document


REFERENCE: Structural Evaluation of the Effects of the Adjustable Speed Drive on the WNP-2 Main Recirculation Pump and Motor, Revision 1, GE-NE-523-94-0793, GE Proprietary Information Class III, dated August 1993.

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The attached proprietary affidavit is to be transmitted to the NRC with the referenced document which was sent to N. Porter at the Supply System under separate cover. This affidavit is applicable to Revision 1 only.

Revision 0 of the referenced document is valid for your information and is still GE Company Proprietary but is not suitable for transmittal to the NRC because it does not specifically identify (e.g., margin bars) which information is proprietary as required by 10 CFR 2.790.

Transmittal of all proprietary information directly related to the referenced document including proprietary responses to any questions which may arise due to NRC (or other) review of the referenced document are also covered by this affidavit.


Richard T. Hill
Phone 408-925-3255
MC 481

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cc: W.R. Daniel, N.R. Horton, D.M. Kelly, D.J. Robare, B. A. Smith

GENERAL ELECTRIC COMPANY

AFFIDAVIT

I, DAVID J. ROBARE, being duly sworn, depose and state as follows:

- (1) I am Manager, Plant Licensing Projects, General Electric Company ("GE") 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 is contained in the GE proprietary report GE-NE-523-94-0793, "Structural Evaluation of the Effects of the Adjustable Speed Drive on the WNP-2 Main Recirculation Pump and Motor", Class III, Revision 1, dated August 1993. This information is delineated by bars marked in the margin adjacent to the specific material.
- (3) In making this application for withholding of proprietary information of which it is the owner, GE relies upon the exemption from disclosure set forth in the Freedom of Information Act ("FOIA"), 5 USC Sec. 552(b)(4), and the Trade Secrets Act, 18 USC Sec. 1905, and NRC regulations 10 CFR 9.17(a)(4), 2.790(a)(4), and 2.790(d)(1) for "trade secrets and commercial or financial information obtained from a person and privileged or confidential" (Exemption 4). The material for which exemption from disclosure is here sought is all "confidential commercial information", and some portions also qualify under the narrower definition of "trade secret", within the meanings assigned to those terms for purposes of FOIA Exemption 4 in, respectively, Critical Mass Energy Project v. Nuclear Regulatory Commission, 975F2d871 (DC Cir. 1992), and Public Citizen Health Research Group v. FDA, 704F2d1280 (DC Cir. 1983).
- (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, including supporting data and analyses, 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 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;
- c. Information which reveals cost or price information, production capacities, budget levels, or commercial strategies of General Electric, its customers, or its suppliers;
- d. Information which reveals aspects of past, present, or future General Electric customer-funded development plans and programs, of potential commercial value to General Electric;
- e. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

The information sought to be withheld is considered to be proprietary for the reasons set forth in both paragraphs (4)a. and (4)b., above.

- (5) The information sought to be withheld is being submitted to NRC in confidence. The information is of a sort customarily held in confidence by GE, and is in fact so held. Its initial designation as proprietary information, and the subsequent steps taken to prevent its unauthorized disclosure, are as set forth in (6) and (7) following. The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by GE, no public disclosure has been made, and it is not available in public sources. All disclosures to third parties including any required transmittals to NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence.
- (6) Initial approval of proprietary treatment of a document is made by the manager of the originating component, the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge. Access to such documents within GE is limited on a "need to know" basis.
- (7) The procedure for approval of external release of such a document typically requires review by the staff manager, project manager, principal scientist or other equivalent authority, by the 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. Disclosures outside GE are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary agreements.

- (8) The information identified in paragraph (2) is classified as proprietary because it contains detailed results of analytical models, methods and processes, including computer codes, which GE has developed or purchased and applied to evaluate the effect on structural frequencies of the BWR recirculation system pumps and piping due to pulsations in the motor air-gap torque produced by corresponding electrical harmonics in the pump motor.

The development and application of the motor air-gap torque pulsation methodology and computer codes used in this analysis was achieved at a significant cost, on the order of one half million dollars, to GE.

The development of the evaluation process along with the interpretation and application of the of the analytical results is derived from the extensive experience database that constitutes a major GE asset.

- (9) Public disclosure of the information sought to be withheld is likely to cause substantial harm to GE's competitive position and foreclose or reduce the availability of profit-making opportunities. The information is part of GE's comprehensive BWR technology base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and analytical methodology and includes development of the expertise to determine and apply the appropriate evaluation process.

The research, development, engineering and analytical costs comprise a substantial investment of time and money by GE.

The precise value of the expertise to devise an evaluation process and apply the correct analytical methodology is difficult to quantify, but it clearly is substantial.

GE's competitive advantage will be lost if its competitors are able to use the results of the GE experience to normalize or verify their own process or if they are able to claim an equivalent understanding by demonstrating that they can arrive at the same or similar conclusions.

The value of this information to GE would be lost if the information were disclosed to the public. Making such

information available to competitors without their having been required to undertake a similar expenditure of resources would unfairly provide competitors with a windfall, and deprive GE of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment in developing these very valuable analytical tools.

STATE OF CALIFORNIA)
) SS:
COUNTY OF SANTA CLARA)

David J. Robare, being duly sworn, deposes and says:

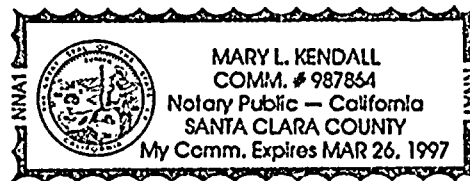
That he has read the foregoing affidavit and the matters stated therein are true and correct to the best of his knowledge, information, and belief.

Executed at San Jose, California, this 2ND day of SEPTEMBER, 1993

David J. Robare
David J. Robare
General Electric Company

Subscribed and sworn before me this 2nd day of September, 1993

Mary L. Kendall
Notary Public, State of California



9/1/93



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