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ACCESSION NBR: 8310030425 DOC. DATE: 83/09/26 NOTARIZED: YES DOCKET #
 FACIL: STN-50-528 Palo Verde Nuclear Station, Unit 1, Arizona Publi 05000528
 STN-50-529 Palo Verde Nuclear Station, Unit 2, Arizona Publi 05000529
 STN-50-530 Palo Verde Nuclear Station, Unit 3, Arizona Publi 05000530
 AUTH. NAME AUTHOR AFFILIATION
 VAN BRUNT, E.E. Arizona Public Service Co.
 RECIP. NAME RECIPIENT AFFILIATION
 KNIGHTON, G. Licensing Branch 3

SUBJECT: Forwards proprietary "Final Assessment of Palo Verde Nuclear Generation Station Fuel Assembly Spacer Grid Impact Loads Under Faulted Conditions," per SER (NUREG-0857) Section 4.2.1, Affidavit encl. Rept withheld (ref 10CFR2.790).

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	NRR/DSI/ICSB	1 1		NRR/DSI/METB	1 1
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	NRR/DSI/RSB	1 1		REG FILE	1 1
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EXTERNAL:	ACRS #34-39	41 6 6		BNL (AMDTS ONLY)	1 0
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Arizona Public Service Company

P.O. BOX 21666 • PHOENIX, ARIZONA 85036

September 26, 1983
ANPP-27883 - WFQ/TFQ

Director of Nuclear Reactor Regulation
Attention: Mr. George Knighton, Chief
Licensing Branch No. 3
Division of Licensing
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Subject: Palo Verde Nuclear Generating Station (PVNGS)
Units 1, 2 and 3
Docket Nos. STN-50-528/529/530
File: 83-056-026; G.1.01.10

Reference: NUREG-0857, "Safety Evaluation Report related to the
operation of Palo Verde Nuclear Generating Station,
Units 1, 2 and 3", dated November, 1981.

Dear Mr. Knighton:

Transmitted herewith are copies of Combustion Engineering's (CE's) report on the System 80TM fuel performance analysis under combined seismic and LOCA loads for PVNGS. The report is provided in response to the open item described in Section 4.2.1 of the referenced SER. The information presented in the enclosed report has been discussed informally with the staff and we understand that the submittal of this report should close out the issue.

Due to the proprietary nature of the material contained in the enclosure, we request that it be withheld from public disclosure in accordance with the provisions of 10CFR 2.790 and that this material be safeguarded. The reasons for the proprietary classification of this report are delineated in the enclosed affidavit.

Please contact me if you have any questions on this matter.

Very truly yours,

E. E. Van Brunt

E. E. Van Brunt, Jr.
APS Vice President
Nuclear Projects Management
ANPP Project Director

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Enclosures

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Mr. G. W. Knighton
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ANPP-27883 - WFQ/TFQ
cc: E. A. Licitra
A. C. Gehr

Office of Nuclear Reactor Regulation
September, 1983

Enclosures:

Proprietary Affidavit

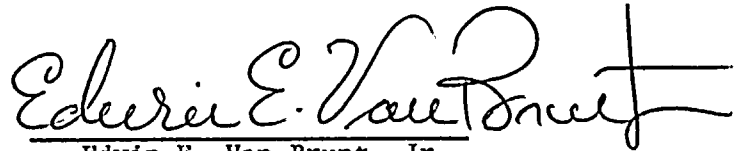
CEN-256(V)-P, "Final Assessment of PVNGS Fuel Assembly Spacer Grid Impact Loads Under Faulted Conditions", August, 1983. Proprietary copies 0001 through 0025.

CEN-256(V)-NP, "Final Assessment of PVNGS Fuel Assembly Spacer Grid Impact Loads Under Faulted Conditions", August, 1983. Non-proprietary version, 15 copies.

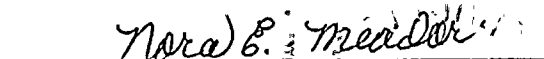
September 26, 1983
ANPP-27883 - WFQ/TFQ

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

I, Edwin E. Van Brunt, Jr., represent that I am Vice President, Nuclear Projects of Arizona Public Service Company, that the foregoing document has been signed by me on behalf of Arizona Public Service Company with full authority to do so, that I have read such document and know its contents, and that to the best of my knowledge and belief, the statements made therein are true.

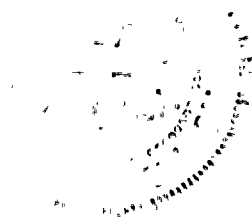

Edwin E. Van Brunt, Jr.

Sworn to before me this 26th day of September, 1983.


Notary Public

My Commission Expires:

My Commission Expires April 6, 1987



THE UNIVERSITY OF CHICAGO

AFFIDAVIT PURSUANT

TO 10 CFR 2.790

Combustion Engineering, Inc. }
State of Connecticut }
County of Hartford) SS.:

I, A. E. Scherer, depose and say that I am the Director, Nuclear Licensing, of Combustion Engineering, Inc., 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 and in conjunction with the application of Arizona Public Service for withholding this information.

The information for which proprietary treatment is sought is contained in the following document:

CEN-256(V)-P, "Final Assessment of PVNGS Fuel Assembly Spacer Grid Impact Loads Under Faulted Conditions", August, 1983

This document has been appropriately designated as proprietary.

I have personal knowledge of the criteria and procedures utilized by Combustion Engineering 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 the structural performance information (test and analytical results) of the System 80™ fuel assemblies under seismic and LOCA conditions, which is owned and has been held in confidence by Combustion Engineering.

2. The information consists of test data or other similar data concerning a process, method or component, the application of which results in a substantial competitive advantage to Combustion Engineering.

3. The information is of a type customarily held in confidence by Combustion Engineering and not customarily disclosed to the public. Combustion Engineering 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 are 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 which 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 Combustion Engineering because:

a. A similar product is manufactured and sold by major pressurized water reactor competitors of Combustion Engineering.

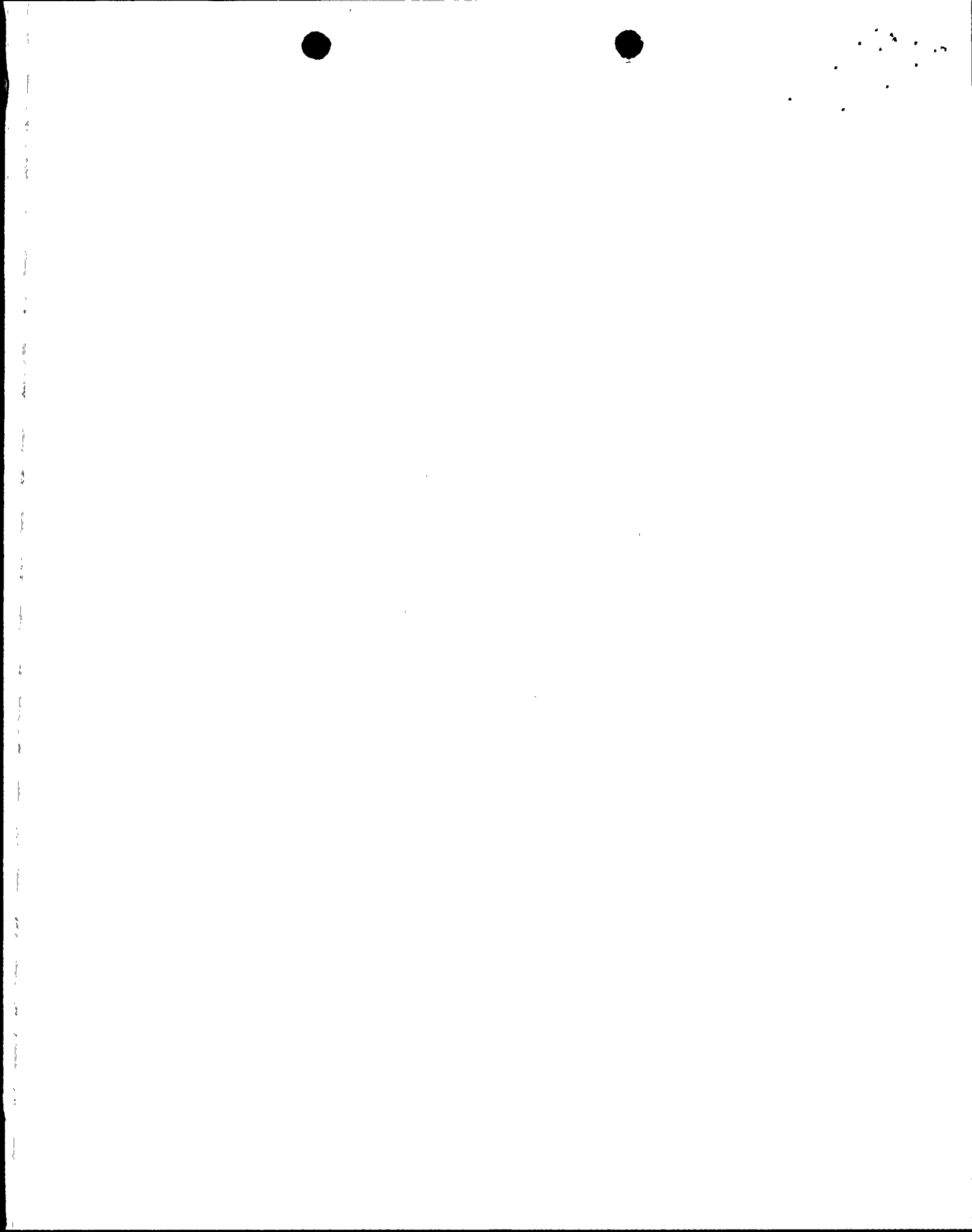
b. Development of this information by C-E required thousands of manhours of effort and hundreds of thousands of dollars. To the best of my knowledge and belief a competitor would have to undergo similar expense in generating equivalent information.

c. In order to acquire such information, a competitor would also require considerable time and inconvenience related to the development of a fuel design for reactors manufactured by Combustion Engineering, Inc.

d. The information required significant effort and expense to obtain the licensing approvals necessary for application of the information. Avoidance of this expense would decrease a competitor's cost in applying the information and marketing the product to which the information is applicable.

e. The information consists of test results and analytical data of the fuel performance characteristics for Palo Verde Nuclear Generating Stations 1, 2, and 3, 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 Combustion Engineering, take marketing or other actions to improve their product's position or impair the position of Combustion Engineering's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.

f. In pricing Combustion Engineering's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of Combustion Engineering's competitors to utilize such information



without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.

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

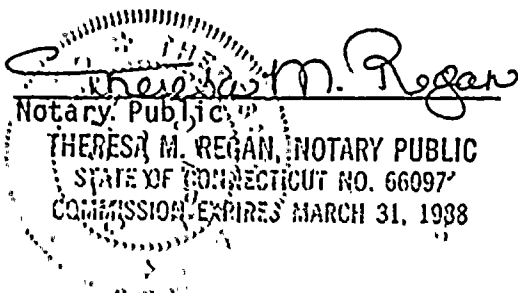
Further the deponent sayeth not.



A. E. Scherer
Director
Nuclear Licensing

Sworn to before me

this 30th day of August, 1983



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