

ADMINISTRATIVE CONTROLS

CORE OPERATING LIMITS REPORT (Continued)

- e. "Calculative Methods for the CE Large Break LOCA Evaluation Model for the Analysis of CE and W Designed NSSS," CENPD-132, Supplement 3-P-A, June 1985 (Methodology for Specification 3.2.1, Linear Heat Rate).
- f. "Calculative Methods for the CE Small Break LOCA Evaluation Model," CENPD-137-P, August 1974 (Methodology for Specification 3.2.1, Linear Heat Rate).
- g. "Calculative Methods for the CE Small Break LOCA Evaluation Model," CENPD-137-P, Supplement 1P, January 1977 (Methodology for Specification 3.2.1, Linear Heat Rate).
- h. Letter: O. D. Parr (NRC) to F. M. Stern (CE), dated June 13, 1975 (NRC Staff Review of the Combustion Engineering ECCS Evaluation Model). NRC approval for: 6.9.1.10f.
- i. Letter: K. Kniel (NRC) to A. E. Scherer (CE), dated September 27, 1977 (Evaluation of Topical Reports CENPD-133, Supplement 3-P and CENPD-137, Supplement 1-P). NRC approval for 6.9.1.10g.

The core operating limits shall be determined so that all applicable limits (e.g., fuel thermal-mechanical limits, core thermal-hydraulic limits, ECCS limits, nuclear limits such as shutdown margin, and transient and analysis limits) of the safety analysis are met.

The CORE OPERATING LIMITS REPORT, including any mid-cycle revisions or supplements thereto, shall be provided upon issuance, for each reload cycle, to the NRC Document Control Desk with copies to the Regional Administrator and Resident Inspector.

- j. "Fuel Rod Maximum Allowable Pressure", CEN-372-P-A, May 1990 (Methodology for Specification 3.2.1, Linear Heat Rate).
- k. Letter: A.C. Thadani (NRC) to A.E. Scherer (C-E), dated April 10, 1990, ("Acceptance for Reference C-E Topical Report CEN-372-P). NRC approval for 6.9.1.10.i.



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AFFIDAVIT PURSUANT

TO 10 CFR 2.790

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

I, Ian C. Rickard, depose and say that I am the Director, Operations 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 support of an application by Arizona Public Service Company in conformance with the provisions of 10 CFR 2.790 of the Commission's regulations for withholding this information.

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

A-PV3-FE-0100-CT, Revision 00, "PVNGS-3 Cycle 6 ECCS Performance Analysis," June 6, 1995.

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, which is owned and has been held in confidence by Combustion Engineering, is the Combustion Engineering Large Break and Small Break Loss of Coolant Accident safety analysis methodologies and their application to Palo Verde 3 Cycle 6.
2. The information consists of test data or other similar data concerning a process, method or component, the application of which results in 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 is 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 Combustion Engineering required hundreds of manhours and tens 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 to understand the design of the Palo Verde Nuclear Generating Station nuclear power plant.



- 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 the Combustion Engineering Large Break and Small Break Loss of Coolant Accident safety analysis methodologies and their application to Palo Verde 3 Cycle 6, 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



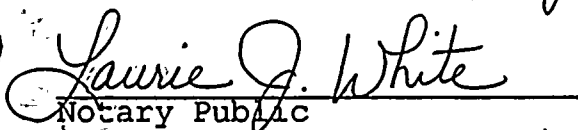
steam supply systems by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on Combustion Engineering's potential for obtaining or maintaining foreign licensees.

Further the deponent sayeth not.



Ian C. Rickard
Director
Operations Licensing

Sworn to before me
this 24th day of July, 1995


Notary Public

My commission expires: 8/31/99



ATTACHMENT

**PVNGS UNIT 3 CYCLE 6
ECCS PERFORMANCE ANALYSIS**

June 6, 1995

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