

# REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR:8506140169 DOC.DATE: 85/06/10 NOTARIZED: YES DOCKET #  
 FACIL:50-316 Donald C. Cook Nuclear Power Plant, Unit 2, Indiana & 05000316  
 AUTH.NAME AUTHOR AFFILIATION  
 COPELAND,R.A. Exxon Nuclear Co., Inc. (subs. of Exxon Corp.)  
 RECIP.NAME RECIPIENT AFFILIATION  
 WIGGINTON,D. Operating Reactors Branch 1

SUBJECT: Forwards proprietary slides entitled, "Cycle 6 Safety Analysis Status Review," presented at 850530 meeting w/NRC & util.RB Stout affidavit also encl.Slides withheld (ref 10CFR2.790).

DISTRIBUTION CODE: PA01D COPIES RECEIVED:LTR 1 ENCL 1 SIZE: 4+22  
 TITLE: Proprietary Review Distribution-Operating Reactor

NOTES: 05000316  
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# EXXON NUCLEAR COMPANY, INC.

2101 HORN RAPIDS ROAD, PO BOX 130, RICHLAND, WA 99352  
(509) 375-8100 TELEX: 15-2878

June 10, 1985  
RAC:043:85

Mr. D. Wigginton  
Operating Reactors Branch 1  
Division of Licensing  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

SUBJECT: Proprietary Slides from May 30, 1985 Meeting

Dear Mr. Wigginton:

As you requested in our June 5, 1985 telephone conversation, the proprietary slides presented in the May 30, 1985 meeting between you, representatives of American Electric Power Service Corporation and Exxon Nuclear Company are enclosed. Also enclosed is the affidavit executed by Dr. R. Stout of Exxon Nuclear needed to support withholding of the slides from public disclosure as required by 10 CFR 2.790(b).

If there are any questions or if I can be of further help, please contact me at (509) 375-8290.

Sincerely,

*Bob Copeland*

R. A. Copeland  
Reload Licensing

naa

Enclosures

cc: Mr. G. John (AEP)  
Mr. H.G. Shaw (ENC)

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A F F I D A V I T

STATE OF WASHINGTON )  
                                  ss.  
COUNTY OF BENTON     )

I, Richard B. Stout being duly sworn, hereby say and depose:

1. I am Manager, Licensing and Safety Engineering for Exxon Nuclear Company, Inc. ("ENC"), and as such I am authorized to execute this Affidavit.

2. I am familiar with ENC's detailed document control system and policies which govern the protection and control of information.

3. I am familiar with the attached slides referred to as "Attachment" and presented at the May 30, 1985 meeting with the Nuclear Regulatory Commission, American Electric Service Corporation, and Exxon Nuclear Company. Information contained in this Attachment has been classified by ENC as proprietary in accordance with the control system and policies established by ENC for the control and protection of information.

4. The Attachment contains information of a proprietary and confidential nature and is of the type customarily held in confidence by ENC and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in the Attachment as proprietary and confidential.

5. The Attachment has been made available to the U.S. Nuclear Regulatory Commission in confidence, with the request that the information contained in the Attachment will not be disclosed or divulged.

6. The Attachment contains information which is vital to a competitive advantage of ENC and would be helpful to competitors of ENC when competing with ENC.

7. The information contained in the Attachment is considered to be proprietary by ENC because it reveals certain distinguishing aspects of the Exxon Nuclear plant transient methodology which secure competitive advantage to ENC for fuel design optimization and marketability, and includes information utilized by ENC in its business which affords ENC an opportunity to obtain a competitive advantage over its competitors who do not or may not know or use the information contained in the Attachment.

8. The disclosure of the proprietary information contained in the Attachment to a competitor would permit the competitor to reduce its expenditure of money and manpower and to improve its competitive position by giving it extremely valuable insights into the Exxon Nuclear fuel design and performance and would result in substantial harm to the competitive position of ENC.

9. The Attachment contains proprietary information which is held in confidence by ENC and is not available in public sources.

10. In accordance with ENC's policies governing the protection and control of information, proprietary information contained in the Attachment has been made available, on a limited basis, to others outside ENC only as required and under suitable agreement providing for non-disclosure and limited use of the information.

11. ENC policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.



12. This Attachment provides information which reveals the Exxon Nuclear plant transient methodology developed by ENC over the past several years. ENC has invested millions of dollars and many man-years of effort in developing the Exxon Nuclear plant transient methodology revealed in the Attachment. Assuming a competitor had available the same background data and incentives as ENC, the competitor might, at a minimum, develop the information for the same expenditure of manpower and money as ENC.

13. Based on my experience in the industry, I do not believe that the background data and incentives of ENC's competitors are sufficiently similar to the corresponding background data and incentives of ENC to reasonably expect such competitors would be in a position to duplicate ENC's proprietary information contained in the Attachment.

THAT the statements made hereinabove are, to the best of my knowledge, information, and belief, truthful and complete.

FURTHER AFFIANT SAYETH NOT.

Richard B. Linton

SWORN TO AND SUBSCRIBED

before me this 7<sup>th</sup> day of

June, 1985.

Gloria R. Fitzgerald

NOTARY PUBLIC

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