



April 5, 1991
LD-91-015

Mr. Donald H. Lanham
Office of Information Resources Management
Document Control Branch
U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D.C. 20555

Subject: Transmittal of Amendment 1-P to the Realistic
Small Break LOCA Evaluation Model Topical
Report (CEN-373-P)

References: (1) Letter R. C. Jones (NRC) to A. E Scherer
(C-E), dated June 21, 1990
(2) Letter LD-91-007, S. A. Toelle (C-E) to
R. C. Jones (NRC), dated January 30, 1991

Dear Mr. Lanham:

Enclosure I transmits twenty-three (23) copies of Amendment 1-P to the previously submitted three-volume Topical Report CEN-373-P entitled, "Realistic Small Break LOCA Evaluation Model" which is currently being reviewed by the NRC. ABB Combustion Engineering Nuclear Power (CENP) and the Combustion Engineering Owners Group (CEOG) co-sponsored the preparation of Amendment 1-P and request that this amendment be added to the ongoing review process of the Small Break LOCA Realistic Evaluation Model (REM).

The purpose of Amendment 1-P is to (1) correct documentation errors found after the Topical Report was submitted for NRC review, (2) modify the Topical Report to respond to a number of NRC sample review questions received in June 1990 (cf., Reference 1), (3) describe modifications made to the Realistic Evaluation Model version of the CEFLASH-4AS code, and (4) discuss reanalysis results using the updated version of the CEFLASH-4AS code. The changes included in Amendment 1-P do not affect any of the key elements of the Realistic Evaluation Model. The component models, the analysis methods, and the total uncertainty methodology (i.e., the Limit Value Approach), all remain valid.

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LPDR
NRC PDR

LTR ONLY

ABB Combustion Engineering Nuclear Power

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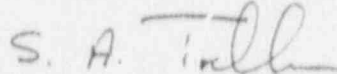
Our intent to submit Amendment 1-P was discussed in Reference (2). It is our understanding, from discussions with the Staff during working meetings regarding the sample NRC questions received in June 1990, that after review of this amendment, the Staff will be able to finalize the formal review questions on the REM Topical Report. Although we have a good idea of the number and nature of the remaining outstanding questions, ABB CENP and the CEOG anxiously await the issuance of the formal NRC review questions in order to continue and complete the approval process of the REM. It should be noted that the contents of Amendment 1-P will be incorporated into CEN-373-P when the approved version of this Topical Report is issued.

There is information contained in Enclosure I that is considered by Combustion Engineering to be proprietary. As such, it is requested that this information be withheld from public disclosure in accordance with the provisions of 10CFR2.790 and that this information be appropriately safeguarded. The reasons for the classification of this information as proprietary are delineated in the affidavit provided as Enclosure II.

If there are any questions on the enclosed information, or if we can be of other assistance to you or your staff on this subject, please call me or Mr. Robles of my staff at (203) 285-5215.

Very truly yours,

COMBUSTION ENGINEERING, INC.



S. A. Telle
Manager
Operating Reactor Licensing

SAT:lw

Enclosures: As Stated
(Enclosure I - Copies 00001 to 00023)

cc: M. Caruso (NRC)
R. Jones (NRC)
J. Hutchinson (FP&L)

AFFIDAVIT PURSUANTTO 10 CFR 2.790

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

I, S. A. Toelle, depose and say that I am the Manager, Operating Reactor 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 for withholding this information.

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

CEN-373-P, Amendment 1-P, "Realistic Small Break LOCA Evaluation Model", March 1991.

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 evaluation models for reactor accidents that demonstrate realistic margin is available to improve nuclear steam supply system performance, 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 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 C-E required thousands of manhours 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 to develop the evaluation models for reactor accidents that demonstrate realistic margin is available to improve nuclear steam supply system performance.
- 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 evaluation models for reactor accidents that demonstrate realistic margin is available to improve nuclear steam supply system performance, 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 without information 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.

S. A. Toelle

S. A. Toelle
Manager
Operating Reactor Licensing

Sworn to before me
this 5th day of April, 1991

Laurie J. White
Notary Public

My commission expires: 2/31/94