

Babcock & Wilcox

AFFIDAVIT OF JAMES H. TAYLOR

- A. My name is James H. Taylor. I am Manager of Licensing in the Nuclear Power Generation Division of Babcock & Wilcox, and as such I am authorized to execute this Affidavit.
- B. I am familiar with the criteria applied by Babcock & Wilcox to determine whether certain information of Babcock & Wilcox is proprietary and I am familiar with the procedures established within Babcock & Wilcox, particularly the Nuclear Power Generation Division (NPGD), to ensure the proper application of these criteria.
- C. In determining whether a Babcock & Wilcox document is to be classified as proprietary information, an initial determination is made by the unit manager who is responsible for originating the document as to whether it falls within the criteria set forth in Paragraph D hereof. If the information falls within any one of these criteria, it is classified as proprietary by the originating unit manager. This initial determination is reviewed by the cognizant section manager. If the document is designated as proprietary, it is reviewed again by Licensing personnel and other management within NPGD as designated by the Manager of Licensing to assure that the regulatory requirements of 10 CFR Section 2.790 are met.
- D. The following information is provided to demonstrate that the provisions of 10 CFR Section 2.790 of the Commission's regulations have been considered:
- (i) The information has been held in confidence by the Babcock & Wilcox Company. Copies of the document are clearly identified as proprietary. In addition, whenever Babcock & Wilcox transmits the information to a customer, customer's agent, potential customer or regulatory agency, the transmittal requests the recipient to hold the information as proprietary. Also, in order to strictly limit any potential or actual customer's use of proprietary information, the following

AFFIDAVIT OF JAMES H. TAYLOR (Cont'd)

provision is included in all proposals submitted by Babcock & Wilcox, and an applicable version of the proprietary provision is included in all of Babcock & Wilcox's contracts:

"Purchaser may retain Company's Proposal for use in connection with any contract resulting therefrom, and, for that purpose, make such copies thereof as may be necessary. Any proprietary information concerning Company's or its Suppliers' products or manufacturing processes which is so designated by Company or its Suppliers and disclosed to Purchaser incident to the performance of such contract shall remain the property of Company or its Suppliers and is disclosed in confidence, and Purchaser shall not publish or otherwise disclose it to others without the written approval of Company, and no rights, implied or otherwise, are granted to produce or have produced any products or to practice or cause to be practiced any manufacturing processes covered thereby.

Notwithstanding the above, Purchaser may provide the NRC or any other regulatory agency with any such proprietary information as the NRC or such other agency may require; provided, however, that Purchaser shall first give Company written notice of such proposed disclosure and Company shall have the right to amend such proprietary information so as to make it non-proprietary. In the event that Company cannot amend such proprietary information, Purchaser shall, prior to disclosing such information, use its best efforts to obtain a commitment from NRC or such other agency to have such information withheld from public inspection.

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Company shall be given the right to participate in pursuit of such confidential treatment."

- (ii) The following criteria are customarily applied by Babcock & Wilcox in a rational decision process to determine whether the information should be classified as proprietary. Information may be classified as proprietary if one or more of the following criteria are met.
- a. Information reveals cost or price information, commercial strategies, production capabilities, or budget levels of Babcock & Wilcox, its customers or suppliers.
  - b. The information reveals data or material concerning Babcock & Wilcox research or development plans or programs of present or potential competitive advantage to Babcock & Wilcox.
  - c. The use of the information by a competitor would decrease his expenditures, in time or resources, in designing, producing or marketing a similar product.
  - d. The information consists of test data or other similar data concerning a process, method or component, the application of which results in a competitive advantage to Babcock & Wilcox.
  - e. The information reveals special aspects of a process, method, component or the like, the exclusive use of which results in a competitive advantage to Babcock & Wilcox.
  - f. The information contains ideas for which patent protection may be sought.

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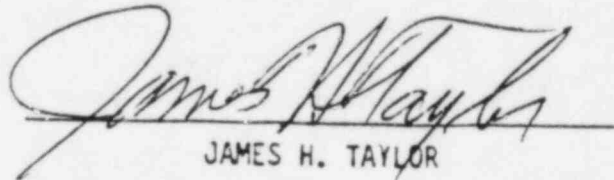
AFFIDAVIT OF JAMES H. TAYLOR (Cont'd)

The document(s) listed on Exhibit "A", which is attached hereto and made a part hereof, has been evaluated in accordance with normal Babcock & Wilcox procedures with respect to classification and has been found to contain information which falls within one or more of the criteria enumerated above. Exhibit "B", which is attached hereto and made a part hereof, specifically identifies the criteria applicable to the document(s) listed in Exhibit "A".

- (iii) The document(s) listed in Exhibit "A", which has been made available to the United States Nuclear Regulatory Commission or the Atomic Safety and Licensing Board was made available in confidence with a request that the document(s) and the information contained therein be withheld from public disclosure.
  - (iv) The information is not available in the open literature and to the best of our knowledge is not known by Combustion Engineering, EXXON, General Electric, Westinghouse or other current or potential domestic or foreign competitors of B&W.
  - (v) Specific information with regard to whether public disclosure of the information is likely to cause harm to the competitive position of Babcock & Wilcox, taking into account the value of the information to Babcock & Wilcox; the amount of effort or money expended by Babcock & Wilcox developing the information; and the ease or difficulty with which the information could be properly duplicated by others is given in Exhibit "B".
- E. I have personally reviewed the document(s) listed on Exhibit "A" and have found that it is considered proprietary by Babcock & Wilcox because it contains information which falls within one or more of the criteria enumerated in Paragraph D, and it is information which is customarily held in confidence and protected as proprietary information by Babcock & Wilcox. This report comprises information utilized by Babcock & Wilcox in its business which afford Babcock & Wilcox an opportunity to obtain a

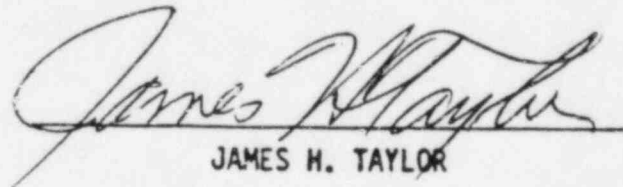
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those who may wish to know or use the information contained in the document(s).

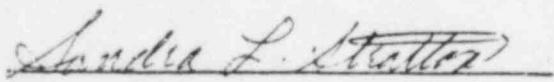
  
JAMES H. TAYLOR

State of Virginia)  
City of Lynchburg) SS. Lynchburg

James H. Taylor, being duly sworn, on his oath deposes and says that he is the person who subscribed his name to the foregoing statement, and that the matters and facts set forth in the statement are true.

  
JAMES H. TAYLOR

Subscribed and sworn before me  
this 15 day of February 1984.

  
Notary Public in and for the City  
of Lynchburg, State of Virginia

My Commission Expires 10/19/87

EXHIBIT A

"Assessment of TMI-1 Plant Safety for Return to Service After  
Steam Generator Repair" - GPUN Topical Report No. 008, Rev. 3



# EXHIBIT B

<u>Description of Material</u>	<u>Criteria</u>
Figure 1-4, Kinetic Expansion Process, each bracketed entry	c,e
Section III.D., pg. 25, para. 2, lines 6-10	c,d
para 3, lines 11 and 12	c,e
para. 3, line 12	c-f
pg. 27, first full para., line 6	c-f
second para., line 5	c-f
third para., line 4	c-f
Section V. A.2, pg. 34, lines 6, 7, 9, 10, & 11	c,e
pg. 35, line 7	c-f
Section V. C.1.a. 6, pg. 38, para. 2, lines 1 & 2	c,e
lines 6, 7, 9, & 10	c,d
Section V. C. 1.b., pg. 39, para. 3, lines 4 & 7	c,d
Section V.C.1.c.1., pg. 40, para. 2, line 1	c,e
Section V.C.1.c.3, pg. 40, para. 2, lines 2, 3, & 4	c,d
Section V.C.1.d., pg. 41, para. 2, lines 5 & 6	c,d
Section V.C.1.e., pg. 41, para. 2, lines 2 & 3	c,e
Section V.C.2.a., pg. 42, para. 2, lines 2 & 3	c,e
para. 3, line 7	c-f
Section V.C.2.b., pg. 42, para. 2, line 1	c,e
para. 3, line 1	c,e
Section V.D., pg. 43, para. 3, line 2	c,e
para. 4, line 2	c,e
Section V.D.2., pg. 45, para. 1, lines 3 & 6	c,e
pg. 46, carryover para., lines 1-6	c,e
para. 1, lines 3 & 4	c,e
line 6	c,d
para. 2, line 1, 5, & 6	c,e
para. 3, lines 1, 2, 6,	
11, & 12	c,e
pg. 47, para. 1, line 1	c,e
para 2, lines 1, 2, & 10	c,e
para. 3, line 2	c,e

EXHIBIT A

Reference Document No. (for  
Replies to Interrogatories)

Document No.

1	58-1017613-00
2	58-1017505-00
3	58-1017499-01
4	58-1017506-00
5	58-1017507-00
6	58-1017510-00
7	58-1017509-00
8	58-1017511-00
9	58-1017518-00
10	58-1017517-00
12	58-1017508-00
19	51-1141584-00
20	32-1139261-01
21	58-1017555-00
22	58-1017556-00
27	58-1017488-00



## EXHIBIT B

<u>Reference 1 58-1017513-00</u>	<u>Criteria</u>
List of Figures, Fig A7, 5th - 7th words in description	c,e
List of Figures, Fig A8, 4th - 6th words in description	c,e
List of Figures, Fig A9, 4th - 6th words in description	c,e
Section 2.0, Line 6, 1st - 5th words	c,e
Section 2.0, line 10, 5th - 9th words	c,e
Section 2.0, line 11, 1st - 6th words, 14th & 15th words	c,e
Section 4.3, 1st sent, 4th - 13th and 19th words	c,e
Section 4.4, 2nd sent, 6th - last words	c,e
Section 6.1, 7 lines following "manner"	c,e
Section 6.1, 2nd paragraph, 1st sentence, 14th word	c,e
Section 6.2, 1st sent 23rd - 27th words	c,e
Section 6.2.1, last para, 1st sent, 10th - 14th words	c,e
Section 6.2.1, last para, 2nd sent, 4th - last words	c,e
Section 6.2.2, 1st sent, 3rd & 4th words	
Section 6.6, 1st para, 33rd & 34th words	c,e
Section 7.0, 3rd para, 1st sent, 14th & 22nd words	c,d
Section 7.0, 3rd para, 2nd sent, 8th & 15th words	c,d
Table A-1, "Charge Gr/Ft Inch" column and expansion Procedure	c,e
Table A-4, 4th & 5th words of title	c,e
Table A-7, entire table	c,d
Table A-8, entire table	c,d
Figure A-1, Dimensions & Tolerances associated with tube hole spacing including values for ligaments, places	b,c
Figure A-2, all	c,e
Figure A-8, 4th & 5th words in subtitle	c,e
Figure A-9, 4th & 5th words in subtitle	c,e

# EXHIBIT B (continued)

## Reference 2 58-1017505-00 (cont.)

### Criteria

Section 4.3, same as Section 4.3 of Ref. 1 above	c,e
Section 4.4, same as Section 4.4 of ref 1 above	c,e
Section 6.1, 6 lines following "manner"	c,e
Section 6.1, 2nd para, last sent, 9th - last words	c,e
Section 6.1, 2nd para, 1st sent, 14th word	c,e
Section 7.0, 1st para, 1st sent, 16th - 18th words	c,d
Section 7.0, 1st para, 1st sent, 13th - 15th words	c,d
Section 7.0, 2nd para, 1st sent, 14th & 22nd words	c,d
Section 7.0, 2nd para, 2nd sent, 8th - 15th words	c,d
Section 7.0, 2nd para, 3rd sent, 18th - last words	c,e
Table B-2, same as Table A-1 of ref 1 above	c,e
Table B-3, same as Table A-7 of ref 1 above	c,d
Table B-4, same as Table A-8 of ref 1 above	c,d
Figure B1, same as Figure A1 of ref 1 above	b,c
Figure B2, same as Figure A2 of ref 1 above	c,e
Appendix PG 1, columns A & B under "after exp"	c,d
Appendix PG 9, 1st 4 columns of table	c,d
Appendix PG 10, entire table	c,d
Appendix PG 11, 2nd word, 5th line under disposition	c,d
Appendix PG 14, column labeled "Charge Gr/Ft Inch," & Expansion Procedure	c,d
Appendix PG 14, columns A and B above "after exp"	c,e
	c,d

## Reference 3 58-1017499-01

Section 4.3, same as Section 4.3 of ref 1 above	c,e
Section 4.4, same as Section 4.4. of ref 1 above	c,e
Section 6.1, 6 lines following "manner"	c,e
Section 6.1, 2nd para, 2nd sent, 14th word	c,e
Section 7.0, last para 1st sent. 14th & 23rd words	c,d
Section 7.0, last para, 2nd sent, 8th & 15th words	c,d
Table C-1, same as Table A-1 of ref 1 above	c,e
Table C-5, same as Table A-7 of ref 1 above	c,d
Table C-6, same as Table A-8 of ref 1 above	c,d
Figure C-1, same as Figure A-1 of ref 1 above	b,c
Figure C-2, same as Figure A-2 of ref 1 above	c,e

## EXHIBIT B (continued)

Reference 4 58-1017506-00Criteria

Section 4.3, same as Section 4.3 of Ref. 1 above	c,e
Section 4.4, same as Section 4.4 of ref 1 above	c,e
Section 6.1, same as Section 6.1 of ref 3 above	c,e
Section 7.0, last para, 16th & 23rd words of 1 sent	c,d
Section 7.0, last para, 2nd sent, 8th & 15th words	c,d
Table D-1, same as Table A-1 of ref 1 above	c,e
Table D-7, same as Table A-7 of ref 1 above	c,d
Table D-8, same as Table A-8 of ref 1 above	c,d
Figure D-1, same as Figure A-1 of ref 1 above	b,c
Figure D-2, same as Figure A-2 of ref 1 above	c,e
Table 1 in raw data, same as Table D-1 above	c,e
Table 1 (2nd) in raw data, same as Table D-7 above	c,d
Last Page in raw data, same as Table D-8 above	c,d

Reference 5 58-1017507-00

Section 4.3, same as Section 4.3 of ref 1 above	c,e
Section 4.4, same as Section 4.4 of ref 1 above	c,e
Section 6.1, same as Section 6.1 of ref 3 above	c,e
Section 7.0, last para, 1st sent, 14th & 22nd words	c,d
Section 7.0, last para, 2nd sent, 8th & 15th words	c,d
Table E-1, same as Table A-1 of ref 1 above	c,e
Table E-5, same as Table A-7 of ref 1 above	c,d
Table E-6, same as Table A-8 of ref 1 above	c,d
Figure E-1, same as Figure A-1 of ref 1 above	b,c
Figure E-2, same as Figure A-2 of ref 1 above	c,e

Reference 6 58-1017510-00

Section 4.3, same as Section 4.3 of ref 1 above	c,e
Section 4.4, same as Section 4.4 of ref 1 above	c,e
Section 6.1, same as Section 6.1 of ref 3 above	c,e

EXHIBIT B (continued)

Reference 6 58-1017510-00

Criteria

Section 7.0, 1st para, 4th sent, 14th & 22nd words	c,d
Section 7.0, 1st para, 5th sent, 8th & 15th words	c,d
Table G-1, same as Table A-1 of ref 1 above	c,e
Table G-5, same as Table A-7 of ref 1 above	c,d
Table G-6, same as Table A-8 of ref 1 above	c,d
Figure E-1, same as Figure A-1 of ref 1 above	b,c
Figure E-2, same as Figure A-2 of ref 1 above	c,e
Page 3 of Appendix, same as Table G-1 above	c,e

Reference 7 58-1017509-00

Section 4.3, same as Section 4.3 of ref 1 above	c,e
Section 4.4, same as Section 4.4 of ref 1 above	c,e
Section 6.1, same as Section 6.1 of ref 3 above	c,e
Section 6.4.1, 3rd para, 2nd sent, 7th word	c,d
Section 7.0, last para, 1st sent, 13th and 21st words	c,d
Section 7.0, last para, 2nd sent, 8th and 15th words	c,d
Section 7.0, last para, 3rd sent, 10th - 13th words	c,d
Table H-1, same as Table A-1 of ref 1 above	c,e
Table H-6, same as Table A-7 of ref 1 above	c,d
Table H-7, same as Table A-8 of ref 1 above	c,d
Figure H-1, same as Figure A-1 of ref 1 above	b,c
Figure H-2, same as Figure A-2 of ref 1 above	c,e

Reference 8 58-1017511-00

Section 4.3, same as Section 4.3 of ref 1 above	c,e
Section 4.4, same as Section 4.4 of ref 1 above	c,e
Section 6.1, same as Section 6.1 of ref 3 above	c,e
Section 7.0, same as Section 7.0 of ref 5 above	c,d

EXHIBIT B (continued)

Reference 8 58-1017511-00

Table S-1, same as Table A-1 of Ref 1 above	c,e
Table S-7, same as Table A-7 of Ref 1 above	c,d
Table S-8, same as Table A-8 of Ref 1 above	c,d
Figure S-1, same as Figure A-1 of Ref 1 above	b,c
Figure S-2, same as Figure A-2 of Ref 1 above	c,e

Reference 9 58-1017518-00

Section 4.3, same as Section 4.3 of Ref 1 above	c,e
Section 4.4, same as Section 4.4 of Ref 1 above	c,e
Section 6.4, Second Sentence	c,e
Section 7.0, column labeled "Pullout Load"	c,d
Table AF-1, column labeled "Change Grain/ft" and all six lines in two columns at the bottom of page	c,e
Figure AF-2, Entire figure	c,e

Reference 10 58-1017517-00

Section 4.3, same as Section 4.3 of Ref 1 above	c,e
Section 4.4, same as Section 4.4 of Ref 1 above	c,e
Section 4.5, 1st - 3rd words in title, 7th - 9th and 14th - 17th words in first sentence and 2nd word in second sentence	c,e
Section 6.1, 1st paragraph, last sentence, 11th - last words	c,e
Section 6.1, 3rd paragraph, 4th sentence, 3rd - 5th words and last sentence 2nd - last words	c,e
Section 6.1, 4th paragraph, 6th - 11th words	c,e
Section 7.0, 2nd paragraph, column headed "Pullout Load"	c,d
Table 1, column labeled "Charge Grain/ft Inches"	c,e
Figure 1, entire figure	c,e

# EXHIBIT B (continued)

## Reference 12 58-1017508-00

Section 4.3, 1st sentence, 4th - 13th and 19th words	c,e
Section 4.4, last sentence, 15th - last words	c,e
Section 4.5, 1st - 3rd words in title, 7th - 9th and 14th - 18th words in 1st sentence and 2nd word in 2nd sentence	c,e
Section 6.7, 4th - last words in title, 1st paragraph 3rd word in 1st sentence, 8th - 10th words in 2nd sentence; 2nd paragraph, 7th - 9th words in last sentence	c,e
Section 6.9, all	c,e
Section 7.0, center 2 columns in Table	c,d
Section 7.0, center column in 2nd table	c,d
Figure 1, all	c,e
Figure 2, data below "Sample Description" and 2nd and 3rd columns	c,e
Appendix, 2nd - 5th pages, all	c,d,e

## Reference 19 51-1141584-00

List of Figures, line 2 - 6, 4th word	c,e
List of Figures, line 2 - 10, 1st and 2nd words	c-f
Page 11, line 20, 7th and 8th word	c,e
Page 12, line 4, 5th word; 2nd full paragraph, 2nd sentence all and 3rd sentence, 1st - 7th words; indented table, all; 3rd paragraph, last sentence, all	c,e
Page 13, line 15, 2nd - 11th words; line 18, 6th & 7th words; line 20 5th & 6th words; line 22, last word through line 23, 4th word	c,e
Page 14, line 1, last 2 words; line 4, 3rd & 4th words	c,e
Page 15, line 11, 1st - 4th words; line 15, 3rd - 8th words; line 20, last 2 words	c,e

## EXHIBIT B (continued)

<u>Reference 19 51-1141584-00</u>	<u>Criteria</u>
Page 16, line 4, last 2 words and line 5 first 3 words	c,e
Page 16, line 9, first 2 words; line 11, 5th word; line 12, 11th word through line 13 1st word; line 13, 6th & 7th words, line 15, 5th word; line 17, 5th word; line 19 2nd word, last line, 7th word	c-f
Page 30, line 5, 5th & 12th words; line 6, 9th word	c,d
Page 31, line 11, 8th word; line 12 4th word; line 16, 9th word	
Page 32, line 8, 3rd & 11th words; line 10, 10th word	c,d
Page 33, line 2, 3rd & 11th words; line 5, 12th word; line 6, 1st word; line 14, 9th word; line 15, 3rd word; line 16, 1st word	c,d
Page 34, line 10, 13th word; line 11, 5th & 11th words	c,d
Page 36, column labeled "Test Results"	c,d
Page 38, line 9, 3rd & 4th words	c-f
Page 41, line 21, 1st word; line 22, 13th word	c,d
Page 42, Equation, value in numerator	c,d
Page 42, line 15, 7th & 8th words	c,e
Page 43, line 5, 12th - 14th words	c,d
Page 43, line 12, 6th & 7th words	c,e
Page 45, last para, last sent, 8th - last words	c,e
Page 53, Table 4-1, lines 6 & 7. Under column "Value"	e
Page 56, all information associated with tube pitch	e
Page 62, Figure 2-5, entire figure	c,e
Page 63, Figure 2-6, entire figure	c,e
Page 66, Figure 2-9, entire figure	c,e
Page 67, Figure 2-10, entire figure	c-f
Page 70, Figure 3-3, entire figure	b,c
Page 71, Figure 3-4, entire figure	c,d
Page 74, Figure 4-2, values within tube	c,d
<u>Reference 20 32-1139261-01</u>	
Page 3, all	c,d
Page 4, lines 14 & 15, all; line 16, 2nd word	c,d
Page 5, column labeled "Block B"	c,d



# EXHIBIT B (continued)

Reference 20 32-1139261-01

Criteria

Page 6, line 3, 3rd word; line 4, 2nd word, line 11, c,d  
1st & 3rd words; line 12, 1st word; line 13, 2nd word

Page 7, line 10, 2nd squareroot symbol, 2nd & 4th values c,d  
parenthesized; line 17, values in 2nd set of absolute  
value symbols

Page 8, column labeled "Block G"; 3rd line below table, c,d  
3rd word; 4th line below table 2nd word; next to last  
line, 1st, 3rd, & 5th values to right of 2nd equals  
symbol; last line, value to right of "Since"

Page 9, line 10, 2nd square root symbol, 2nd & 4th values c,d  
parenthesized; line 12, values in 2nd set of absolute  
value symbols

Page 10, last equation, value between equals symbols c,d

Page 11, column below location "8" & to right of "X " - c,d  
"X "; 2nd to last equation, value to left to "16"; last  
eqn., value to right of "="

Page 12, line 8, value to right of 2nd "=" and value in c,d  
parentheses; 2nd to last eqn., value to right of "="  
and value in parenthesis; last eqn., 1st value in  
numerator and value in denominator

Page 13, last eqn., value to right of 1st & 2nd "=" and c,d  
value in parentheses; last inequality, value to left of  
">"

Page 14, line 8, 2nd square root symbol, 2nd & 4th values c,d  
parenthesized; line 10, values in 2nd abs. value symbols

Page 15, column labeled "Block H"; 2nd to last eqn., c,d  
value in numerator to right of 2nd "=", value to right of  
3rd "="; last eqn., value to left of "16"

Page 16, line 6, 1st value; line 7, 1st value; line 9, c,d  
2nd value

Page 17, line 10, 2nd sqr. root symbol, 2nd & 4th values c,d  
parenthesized; last eqn., values in 2nd abs. value  
symbols.

## EXHIBIT B (continued)

Reference 20 32-1139261-01Criteria

Page 18, column labeled "Block SP-1"; 1st line after table, value in numerator to right of 2nd "=", and value to right of 3rd "="; last eqn., values to right of 2nd & 3rd "=", value in parentheses; 2nd to last line, values to right of "Since" c,d

Page 19, same as page 17 c,d

Page 26, columns labeled "Sample Mean" and "Calculated Limit" between "Pullout Load" and "Leakage" c,d

Reference 21 58-1017555-00Criteria

Section 4.3, same as Section 4.3 of Ref 1 above c,e

Section 4.4, same as Section 4.4 of Ref 1 above c,e

Section 6.1, six lines following "manner" and 17th word in 2nd sent. of 2nd para. c,e

Table 1, column labeled "Change Gr/ft inch", information on 2 lines following "Explosives From", information after "Expand as follows:" c,e

Table 2, same as Table 1 c,e

Figure 1, all dimensions relating to hole spacing & ligament thickness (8 places) b,c

Figure 2, entire Figure c,e

Appendix 2nd page, same as Table 1 c,e

Appendix 45th page, same as Table 1 c,e

Reference 22 58-1017556-00Criteria

Section 4.3, same as Section 4.3 of Ref 21 above c,e

Section 4.4, same as Section 4.4 of Ref 21 above c,e

Section 6.1, six lines following "manner:" and 15th word in 2nd sent. of 2nd para.

Table 1, same as Table 1 of Ref 21 above c,e

Figure 1, same as Figure 1 of Ref 21 above b,c

Figure 2, same as Figure 2 of Ref 21 above c,e

Appendix, 2nd page same as App., 2nd page of Ref 21 above c,e

Reference 27 58-1017488-00Criteria

entire document c,d,e