



Carolina Power & Light Company

MAY 21 1984

SERIAL: NLS-84-221

Director of Nuclear Reactor Regulation
Attention: Mr. D. B. Vassallo, Chief
Operating Reactors Branch No. 2
Division of Licensing
United States Nuclear Regulatory Commission
Washington, DC 20555

BRUNSWICK STEAM ELECTRIC PLANT, UNIT NOS. 1 AND 2
DOCKET NOS. 50-325 & 50-324/LICENSE NOS. DPR-71 & DPR-62
RELOAD ANALYSIS
SUPPLEMENTAL RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

- REFERENCES:
1. Carolina Power & Light Company letter from Mr. S. R. Zimmerman to Mr. D. B. Vassallo (NRC) dated May 31, 1983.
 2. U. S. NRC letter from Mr. D. B. Vassallo to Mr. E. E. Utley (CP&L) dated January 17, 1984 (Docket Nos. 50-325/324).
 3. Carolina Power & Light Company letter from Mr. S. R. Zimmerman to Mr. D. B. Vassallo (NRC) dated March 15, 1984.
 4. General Electric letter from Mr. L. M. Quintana to Mr. J. D. Martin (CP&L) dated May 7, 1984. (Attachment 1)

Dear Mr. Vassallo:

SUMMARY

In a letter dated January 17, 1984 (Reference 2), Carolina Power & Light Company (CP&L) was requested to provide additional information concerning our boiling water reactor steady-state analysis methods for the Brunswick Steam Electric Plant (BSEP) using the FIBWR code (submitted to the NRC as a topical report in Reference 1). Carolina Power & Light Company supplied a partial response to this request in a letter dated March 15, 1984 (Reference 3). Additional information was required from General Electric in order to provide a complete response. This letter includes all information needed to respond to the outstanding NRC questions.

DISCUSSION

Enclosed is General Electric's response (Reference 4) to CP&L's request for information. This document provides answers to questions 4, 8, and 13 raised by the NRC Staff in Reference 2. Questions 4 and 13 concerned the derivation

PAOL
1/1

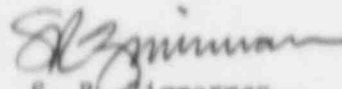
Mr. D. B. Vassallo

-2-

of form loss coefficients and bypass flow models which were used by CP&L as input and benchmark data. Question 8 was a request for a copy of a document containing technical data provided to CP&L by General Electric as part of a reload fuel proposal. Carolina Power & Light Company requested from General Electric the information necessary to respond to questions 4 and 13, and sought permission to forward the document described in question 8. The complete General Electric response is provided in Attachment 1. An affidavit describing the proprietary basis for Attachment 1 is provided in Attachment 2.

Should you have any further questions, please contact Mr. Mark A. Turkal at (919) 836-8169.

Yours very truly,



S. R. Zimmerman
Manager

Nuclear Licensing Section

MAT/cfr (09IMAT)

Enclosure

cc: Mr. C. Berlinger (NRC) w/o attachments
Mr. D. Fieno (NRC) w/attachments
Mr. M. Grotenhuis (NRC)
Mr. W. Hodges (NRC) w/o attachments
Mr. D. O. Myers (NRC-BSEP)
Mr. J. P. O'Reilly (NRC-R11)
Mr. L. Phillips (NRC) w/o attachments

ATTACHMENT 2

SERIAL: NLS-84-221

PROPRIETARY BASIS FOR ATTACHMENT 1

GENERAL ELECTRIC COMPANY

AFFIDAVIT

1, Glenn G. Sherwood, being duly sworn, depose and state as follows:

1. I am Manager, Nuclear Safety & Licensing Operation, General Electric Company, and have been delegated the function of reviewing the information described in paragraph 2 which is sought to be withheld and have been authorized to apply for its withholding.
2. The information sought to be withheld is contained in the attached Carolina Power and Light Company report. The proprietary information has been designated as "General Electric Company Proprietary" in the page margin.
3. In designating material as proprietary, General Electric utilizes the definition of proprietary information and trade secrets set forth in the American Law Institute's Restatement Of Torts, Section 757. This definition provides:

"A trade secret may consist of any formula, pattern, device or compilation of information which is used in one's business and which gives him an opportunity to obtain an advantage over competitors who do not know or use it.... A substantial element of secrecy must exist, so that, except by the use of improper means, there would be difficulty in acquiring information.... Some factors to be considered in determining whether given information is one's trade secret are: (1) the extent to which the information is known outside of his business; (2) the extent to which it is known by employees and others involved in his business; (3) the extent of measures taken by him to guard the secrecy of the information; (4) the value of the information to him and to his competitors; (5) the amount of effort or money expended by him in developing the information; (6) the ease or difficulty with which the information could be properly acquired or duplicated by others."

4. Some examples of categories of information which fit into the definition of proprietary information are:
 - a. Information that discloses a process, method or apparatus where prevention of its use by General Electric's competitors without license from General Electric constitutes a competitive economic advantage over other companies;
 - b. Information consisting of supporting data and analyses, including test data, relative to a process, method or apparatus, the application of which provide a competitive economic advantage, e.g., by optimization or improved marketability;

- c. Information which if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality or licensing of a similar product;
 - d. Information which reveals cost or price information, production capacities, budget levels or commercial strategies of General Electric, its customers or suppliers;
 - e. Information which reveals aspects of past, present or future General Electric customer-funded development plans and programs of potential commercial value to General Electric;
 - f. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection;
 - g. Information which General Electric must treat as proprietary according to agreements with other parties.
5. In addition to proprietary treatment given to material meeting the standards enumerated above, General Electric customarily maintains in confidence preliminary and draft material which has not been subject to complete proprietary, technical and editorial review. This practice is based on the fact that draft documents often do not appropriately reflect all aspects of a problem, may contain tentative conclusions and may contain errors that can be corrected during normal review and approval procedures. Also, until the final document is completed it may not be possible to make any definitive determination as to its proprietary nature. General Electric is not generally willing to release such a document to the general public in such a preliminary form. Such documents are, however, on occasion furnished to the NRC staff on a confidential basis because it is General Electric's belief that it is in the public interest for the staff to be promptly furnished with significant or potentially significant information. Furnishing the document on a confidential basis pending completion of General Electric's internal review permits early acquaintance of the staff with the information while protecting General Electric's potential proprietary position and insuring General Electric to insure the public documents are technically accurate and correct.
6. Initial approval of proprietary treatment of a document is made by the Subsection Manager of the originating component, the man most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge. Access to such documents within the Company is limited on a "need to know" basis and such documents at all times are clearly identified as proprietary.
7. The procedure for approval of external release of such a document is reviewed by the Section Manager, Project Manager, Principal Scientist or other equivalent authority, by the Section Manager of the cognizant Marketing function (or his delegate) and by the Legal

Operation for technical content, competitive effect and determination of the accuracy of the proprietary designation in accordance with the standards enumerated above. Disclosures outside General Electric are generally limited to regulatory bodies, customers and potential customers and their agents, suppliers and licensees only in accordance with appropriate regulatory provisions or proprietary agreements.

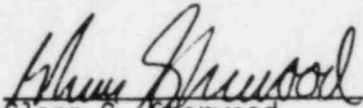
8. The document mentioned in paragraph 2 above has been evaluated in accordance with the above criteria and procedures and has been found to contain information which is proprietary and which is customarily held in confidence by General Electric.
9. The information mentioned in Paragraph 2 provides detail design data developed at General Electric cost for General Electric fuel which is used in core and fuel thermal-hydraulic performance evaluations. This information is considered as proprietary by General Electric.
10. The information to the best of my knowledge and belief, has consistently been held in confidence by the General Electric Company, no public disclosure has been made, and it is not available in public sources. All disclosures to third parties have been made pursuant to regulatory provisions of proprietary agreements which provide for maintenance of the information in confidence.
11. Public disclosure of the information sought to be withheld is likely to cause substantial harm to the competitive position of the General Electric Company and deprive or reduce the availability of profit-making opportunities because:
 - a. It was developed with the expenditure of resources exceeding \$1,000,000.
 - b. Public availability of this information would deprive General Electric of the ability to seek reimbursement, would permit competitors to utilize this information to General Electric's detriment, and would impair General Electric's ability to maintain licensing agreements to the substantial financial and competitive disadvantage of General Electric.
 - c. Public availability of the information would allow foreign competitors, including competing BWR suppliers, to obtain core and fuel design information at no cost which General Electric developed at substantial cost. Use of this information by foreign competitors would give them a competitive advantage over General Electric by allowing foreign competitors to produce their containments at lower cost than General Electric.

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) ss:

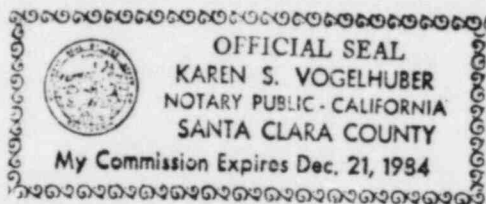
Glenn G. Sherwood, being duly sworn, deposes and says:

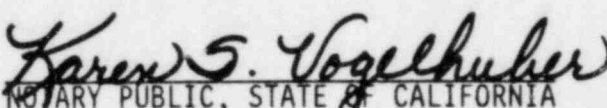
That he has read the foregoing affidavit and the matters stated therein are true and correct to the best of his knowledge, information, and belief.

Executed at San Jose, California, this 4 day of March, 1983.


Glenn G. Sherwood
General Electric Company

Subscribed and sworn before me this 4 day of March 1983.




NOTARY PUBLIC, STATE OF CALIFORNIA

RH:pc/L03034
3/3/83