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October 22, 1996

Joseph J. Hagan
Vice President
Operations
Grand Gulf Nuclear Station

U.S. Nuclear Regulatory Commission
Mail Station P1-37
Washington, D.C. 20555

Attention: Document Control Desk

Subject: Grand Gulf Nuclear Station
Docket No. 50-416
License No. NPF-29
Cycle 9 Reload
Revised Response to NRC Request for Additional Information
Regarding Minimum Critical Power Safety Limit

References:

1. GNRO-96/0053, Proposed Amendment to the Operating License, dated May, 5, 1996
2. GNRO-96/0087, Revision to Proposed Amendment to the Operating License, dated July, 31, 1996
3. GNRO-96/00100, Response to NRC Request for Additional Information Regarding Minimum Critical Power Safety Limit

GNRO: 96/00119

Gentlemen:

By letter dated August 22, 1996, the staff requested information regarding proposed changes to the minimum critical power safety limit in the Grand Gulf Nuclear Station Technical Specifications (references 1 and 2). EOI responded to this request on September 5, 1996 (reference 3). Discussions of these responses were held with members of the staff on October 10, 1996. These discussions concluded that the response to question 2 should be supplemented to provide additional details regarding the use of SPC (Siemens Power Corporation) experimental critical power test data in the GGNS Cycle 9 MCPR safety limit analysis. In addition, the staff raised questions concerning the statistical expressions used to determine uncertainty values. A revised response to question 2 is attached.

Based on the guidelines in 10CFR50.92, EOI has concluded that the revised response involves no additional significant hazards considerations.

General Electric (GE) considers portions of the information contained in this submittal to be proprietary. The proprietary portions are marked by vertical bars in the right hand margin. In accordance with the requirements of 10CFR2.790(b), an

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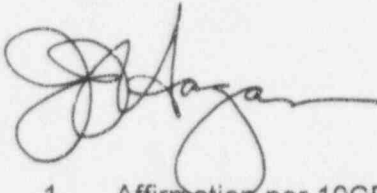
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affidavit (Attachment 3) is provided to support withholding of the information from public disclosure.

Portions of the information considered proprietary by Siemens Power Corporation (SPC) are enclosed with "[]". This information was obtained from Topical Report ANF-1125, Supplement 1 (P)(A), a proprietary document previously approved by the staff on March 8, 1990. Since this information has already been approved as proprietary, an application for withholding is not being submitted. Of course, the information should continue to be treated as proprietary.

In addition, some information is considered proprietary by EOI and is enclosed within "{ }". This information was developed by EOI using a combination of data and analytical methods considered proprietary by both GE and SPC. EOI's contractual obligations prohibit disclosure of this information to other persons or agencies. Therefore EOI is applying for its withholding per 10CFR2.790(b). An affidavit for this request is included as Attachment 4.

Yours truly,



JJH/RWB/be
attachments:

1. Affirmation per 10CFR2.790
2. Revised EOI Response to NRC Request for Additional Information
3. GE Affidavit to Support the Withholding of Proprietary Information
4. EOI Affidavit Request for Withholding Per 10CFR2.790(b)

cc:

(See Next Page)

cc:

Ms. S. C. Black (w/a) (NRC/NRR)
Mr. A. Heymer (NEI)
Mr. R. B. McGehee (w/a)
Mr. N. S. Reynolds (w/a)
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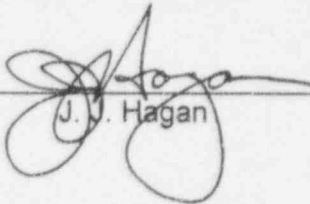
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BEFORE THE
UNITED STATES NUCLEAR REGULATORY COMMISSION
LICENSE NO. NPF-29
DOCKET NO. 50-416
IN THE MATTER OF
ENTERGY MISSISSIPPI
and
SYSTEM ENERGY RESOURCES, INC.
and
SOUTH MISSISSIPPI ELECTRIC POWER ASSOCIATION
and
ENTERGY OPERATIONS, INC.

AFFIRMATION

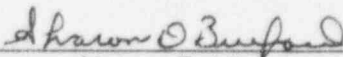
I, J. J. Hagan, being duly sworn, state that I am Vice President, Operations GGNS of Entergy Operations, Inc.; that on behalf of Entergy Operations, Inc., System Energy Resources, Inc., and South Mississippi Electric Power Association I am authorized by Entergy Operations, Inc. to sign and file with the Nuclear Regulatory Commission, this application; that I signed this application as Vice President, Operations GGNS of Entergy Operations, Inc.; and that the statements made and the matters set forth therein are true and correct to the best of my knowledge, information and belief.


J. J. Hagan

STATE OF MISSISSIPPI
COUNTY OF CLAIBORNE

SUBSCRIBED AND SWORN TO before me, a Notary Public, in and for the County and State above named, this 22nd day of OCTOBER, 1996.

(SEAL)


Notary Public

My commission expires:
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES JAN. 27, 2000
BONDED THRU SPECIAL NOTARY SERVICE

GE Affidavit
to Support the Withholding of Proprietary Information



Affidavit

I, Ralph J. Reda, being duly sworn, depose and state as follows:

- (1) I am Manager, Fuels and Facility Licensing, General Electric Company ("GE") 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 document *Clarifications to Responses to NRC Request for Additional Information (RAI) regarding GGNS Proposed Amendment to the Operating Limit*, dated August 30, 1996, and is indicated by "bars" drawn in the margin of the text.
- (3) In making this application for withholding of proprietary information of which it is the owner, GE relies upon the exemption from disclosure set forth in the Freedom of Information Act ("FOIA"), 5 USC Sec. 552(b)(4), and the Trade Secrets Act, 18 USC Sec. 1905, and NRC regulations 10 C.F.R. 9.17(a)(4) and 2.790(a)(4) for "trade secrets and commercial or financial information obtained from a person and privileged or confidential" (Exemption 4). The material for which exemption from disclosure is here sought is all "confidential commercial information," and some portions also qualify under the narrower definition of "trade secret," within the meanings assigned to those terms for purposes of FOIA Exemption 4 in, respectively, Critical Mass Energy Project v. Nuclear Regulatory Commission, 975F2d871 (DC Cir. 1992), and Public Citizen Health Research Group v. FDA, 704F2d1280 (DC Cir. 1983).
- (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, including supporting data and analyses, 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 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;
 - c. Information which reveals cost or price information, production capacities, budget levels, or commercial strategies of General Electric, its customers, or its suppliers;
 - d. Information which reveals aspects of past, present, or future General Electric customer-funded development plans and programs, of potential commercial value to General Electric;

- e. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.
 - f. The information sought to be withheld is considered to be proprietary for the reasons set forth in both paragraphs (4)a. and (4)b., above.
- (5) The information sought to be withheld is being submitted to NRC in confidence. The information is of a sort customarily held in confidence by GE, and is in fact so held. Its initial designation as proprietary information, and the subsequent steps taken to prevent its unauthorized disclosure, are as set forth in (6) and (7) following. The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by GE, no public disclosure has been made, and it is not available in public sources. All disclosures to third parties including any required transmittals to NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence.
- (6) Initial approval of proprietary treatment of a document is given by the manager of the originating component, the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge. Access to such documents within GE is limited on a "need to know" basis.
- (7) The procedure for approval of external release of such a document typically requires review by the staff manager, project manager, principal scientist or other equivalent authority, by the 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. Disclosures outside GE are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary agreements.
- (8) The information identified in paragraph (2) is classified as proprietary because it contains details of GE's Safety Limit MCPR analysis and the corresponding results which GE has applied to GGNS's actual core design with GE's GE11 fuel.

The development of the methods used in these analysis, along with the testing, development and approval of the supporting critical power correlation was achieved at a significant cost, on the order of several million dollars, to GE.

- (9) Public disclosure of the information sought to be withheld is likely to cause substantial harm to GE's competitive position and foreclose or reduce the availability of profit-making opportunities. The fuel design is part of GE's comprehensive BWR safety and technology base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and analytical methodology and includes development of the expertise to determine and apply the appropriate evaluation process. In addition, the technology base includes the value derived from providing analyses done with NRC-approved methods.

Affidavit

The research, development, engineering, analytical, and NRC review costs comprise a substantial investment of time and money by GE.

The precise value of the expertise to devise an evaluation process and apply the correct analytical methodology is difficult to quantify, but it clearly is substantial.

GE's competitive advantage will be lost if its competitors are able to use the results of the GE experience to normalize or verify their own process or if they are able to claim an equivalent understanding by demonstrating that they can arrive at the same or similar conclusions.

The value of this information to GE would be lost if the information were disclosed to the public. Making such information available to competitors without their having been required to undertake a similar expenditure of resources would unfairly provide competitors with a windfall, and deprive GE of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment in developing these very valuable analytical tools.

State of North Carolina) SS:
County of New Hanover)

Ralph J. Reda, being duly sworn, deposes and says:

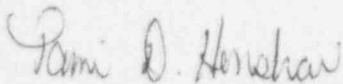
That he has read the foregoing affidavit and the matters stated therein are true and correct to the best of his knowledge, information, and belief.

Executed at Wilmington, North Carolina, this 17 day of October, 1996



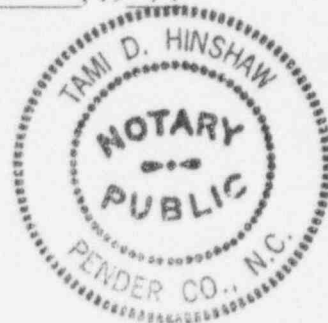
Ralph J. Reda
General Electric Company

Subscribed and sworn before me this 17 day of October, 1996



Notary Public, State of North Carolina

My commission expires My Commission Expires 4-15-97



EOI Affidavit
Request for Withholding Per 10CFR2.790(b)

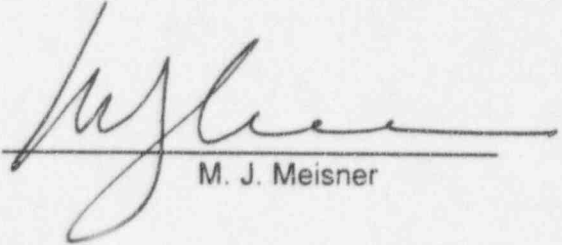
Affidavit

I, Michael J. Meisner, state that I am Director of Nuclear Safety & Regulatory Affairs of Entergy Operations, Inc.; (EOI) and that I dispose and state the following:

1. I am designated by EOI to review the confidential commercial information referenced herein which is sought to be withheld and authorized to apply for the withholding of the information on behalf of Entergy Operations, Inc. I am submitting this affidavit in conformance with the provisions of 10 CFR 2.970 (b)(1) and in conjunction with the application of EOI for withholding this information.
2. EOI seeks to withhold from public disclosure portions of its response to question 2 in Attachment 2 of the document GNRO-96/00119, Revised Response to NRC Request for Additional Information Regarding Minimum Critical Power Safety Limit, October 22, 1996. The information in the submittal has been marked as confidential.
3. EOI has a rational basis for determining the type of information customarily held in confidence by it and reviews documents or reports which might contain confidential information to determine whether the subject documents should be accorded confidential treatment. This review concluded that the indicated portions of the subject document referenced herein does contain confidential commercial information which justifies it being withheld from public disclosure.
4. This information is of the type customarily held in confidence by EOI and its fuel suppliers and, other than the Commission, is intended to be held in confidence and not disclosed to the public. The information is classified as confidential because it contains information on test data and analytical methods applied to Grand Gulf Nuclear Station's Cycle 9 core design which contains both GE11 fuel and SPC 9X9-5 fuel. Although EOI is the owner of the information, the information was developed by using data and analytical methods which General Electric and Siemens Power Co. individually designate as proprietary. Entergy Operations is under contractual obligation to General Electric and Siemens Power Co. to treat this information as proprietary.
5. The research, development, engineering and NRC review costs comprise an investment of time and costs to GE, SPC, and EOI. Disclosure of this information to a competitor would permit the competitor to improve its competitive position by giving valuable insights into BWR fuel design and licensing methodology. In addition, disclosure would harm EOI's contractual obligations related to this information.
6. The information sought to be withheld has been held in confidence by EOI and its contractors.
7. The information, to the best of my knowledge and belief, is not available in public sources, and any disclosure to third parties has and will be made only to the regulatory requirements of proprietary agreements which provide for the maintenance of this information.

EOI Affidavit
Request for Withholding Per 10CFR2.790(b)

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



M. J. Meisner

STATE OF MISSISSIPPI
COUNTY OF CLAYBURN

SUBSCRIBED AND SWORN TO before me, a Notary Public, in and for the county and state above named, this 22ND day of OCTOBER, 1996

My commission expires: _____

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES JAN. 27, 2000
BONDED THRU SPECIAL NOTARY SERVICE


Notary Public