

Omaha Public Power District
1623 Harney Omaha, Nebraska 68102
402/536-4000

September 3, 1985
LIC-85-400

Mr. E. J. Butcher, Acting Chief
Operating Reactors Branch #3
Division of Licensing
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, DC 20555

Reference: Docket No. 50-285

Dear Mr. Butcher:

Cycle 10 Reload Application

In support of the Cycle 10 Reload Application, for the Omaha Public Power District's Fort Calhoun Station, Unit No. 1, please find attached twenty-five copies (Nos. 10-34) of a three part report entitled "Statistical Combination of Uncertainties." Please note that Parts 1 and 3 contain proprietary information, which pursuant to 10 CFR 2.790 should be withheld from public disclosure. Part 2 does not contain proprietary information. A Request for Withholding this information is attached to this letter. Non-proprietary versions of Parts 1 and 3 are also provided for your use.

Sincerely,

R. L. Andrews

R. L. Andrews
Division Manager
Nuclear Production

RLA/DJM/rh

Attachments

cc: LeBoeuf, Lamb, Leiby & MacRae (w/o attach)
1333 New Hampshire Avenue, N.W.
Washington, DC 20036

Mr. E. G. Tourigny, NRC Project Manager (w/o attach)
Mr. L. A. Yandell, NRC Senior Resident Inspector (w/o attach)

8509100307 850903
PDR ADOCK 05000285
P PDR

IE26
1/25 Prop
25 non-prop

CHG: 24x
CPR
PDR
NSR
ADD: REG FILE, ORIGINAL
EXTRAS TO:
E. TOURIGNY, 09/03

AFFIDAVIT PURSUANT

TO 10 CFR 2.790

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

I, P. L. McGill, depose and say that I am the Vice President, Nuclear Systems, 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 and in conjunction with the application of the Omaha Public Power District for withholding this information.

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

CEN-257 (0)-P, Supp. 1-P, Part 1, Statistical Combination of Uncertainties, August, 1985

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 are uncertainties associated with inclusion of axial shape index monitoring in the TM/LP trip for Fort Calhoun Station, Unit One, 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 a 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 are 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 hundreds of manhours of effort and tens 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 in the development of the uncertainties associated with the inclusion of uncertainties in axial shape index monitoring.

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.

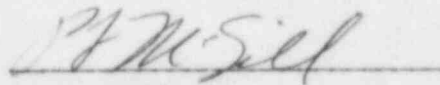
e. The information consists of uncertainties associated with inclusion of axial shape index monitoring in the TM/LP trip for Fort Calhoun Station, Unit One, the application of which provides a competitive economic advantage. The availability of such information to competitors would enable them to modify 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 information

without 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.

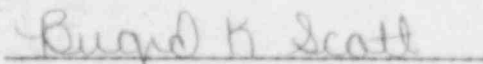
Further the deponent sayeth not.



P. L. McGill
Vice President,
Nuclear Systems

Sworn to before me

this 15th day of August 1989



Notary Public

BRICID K. SCOTT, NOTARY PUBLIC
State of Connecticut No. 73487
Commission Expires 12-31-1993