



# PECO NUCLEAR

A Unit of PECO Energy

PECO Energy Company  
965 Chesterbrook Boulevard  
Wayne, PA 19087-5691

January 3, 2000

Docket Nos. 50-352  
50-353

License Nos. NFP-39  
NFP-85

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555-0001

**Subject:** Limerick Generating Station, Units 1 & 2  
Response to Request for Additional Information -  
Technical Specifications Change Request Relating to Removal of  
Recirculation System Motor Generator Set Scoop Tube Mechanical  
and Electrical Stop Surveillance Requirement (TSCR 99-01-0)

**Reference:** Letter from B. C. Buckley (USNRC) to J. A. Hutton dated December 6, 1999

Dear Sir/Madam:

By letter dated June 22, 1999, PECO Energy Company proposed to amend the Limerick Generating Station (LGS), Units 1 and 2, Technical Specifications (TS). The proposed change involves revising the TS to delete Surveillance Requirement 4.4.1.1.2 and associated TS Administrative Controls Section 6.9.1.9.h, which requires that each reactor recirculation system pump motor generator set scoop tube mechanical and electrical stop be demonstrated operable with the overspeed setpoints less than or equal to the setpoints as noted in the core operating limits report.

The Reference Letter requested additional information in order for the NRC to continue its review of this TS Change Request. The response to this request is provided in Attachment 1 to this letter. The response is being submitted under affirmation, and the required affidavit is enclosed.

Attachment 2 of this letter contains information that General Electric Company (GE) considers to be of a confidential and proprietary nature. The proprietary/confidential information is identified by a vertical bar in the margin of the document. GE is requesting that this information in Attachment 2 be withheld from public disclosure in accordance with the requirements of 10CFR2.790(a)(4). An affidavit supporting this request is provided in Attachment 3. A non-proprietary version of Attachment 2 is provided in Attachment 4.

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Proof*

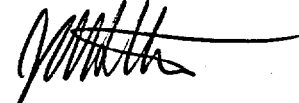
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January 3, 2000  
Page 2

If you have any questions or require additional information, please do not hesitate to contact us.

Very truly yours,



J. A. Hutton  
Director - Licensing

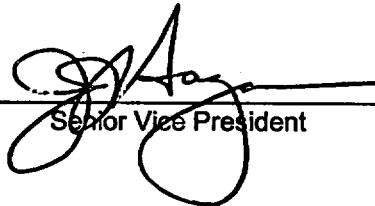
Attachments/Enclosure

cc: H. J. Miller, Administrator, Region I, USNRC (w/Attachments 1, 3, and 4 only)  
A. L. Burritt, USNRC Senior Resident Inspector, LGS (w/Attachments 1, 3, and 4 only)  
R. R. Janati, PA Bureau of Radiological Protection (w/Attachments 1, 3, and 4 only)

COMMONWEALTH OF PENNSYLVANIA :  
 : ss  
COUNTY OF CHESTER :

J. J. Hagan, being first duly sworn, deposes and says:

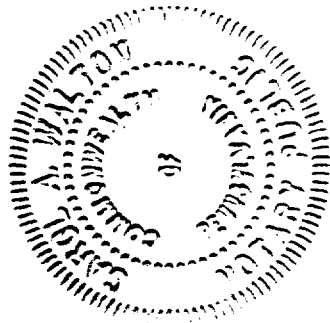
That he is Senior Vice President of PECO Energy Company, the Applicant herein; that he has read the foregoing request to provide supplemental information in support of the proposed amendment request to Facility Operating License Nos. NPF-39 and NPF-85 for Limerick Generating Station, Units 1 and 2, concerning Technical Specifications Change Request No. 99-01-0, "Response to Request for Additional Information - Technical Specifications Change Request Relating to Removal of Recirculation System Motor Generator Set Scoop Tube Mechanical and Electrical Stop Surveillance Requirement," and knows the contents thereof; and that the statements and matters set forth therein are true and correct to the best of his knowledge, information and belief.

  
Senior Vice President

Subscribed and sworn to  
before me this *3rd* day  
of *January* 2000.

  
Notary Public

Notarial Seal  
Carol A. Walton, Notary Public  
Tredyffrin Twp., Chester County  
My Commission Expires May 28, 2002  
Member, Pennsylvania Association of Notaries



**ATTACHMENT 1**

**LIMERICK GENERATING STATION, UNITS 1 & 2**

**RESPONSE TO REQUEST FOR**

**SUPPLEMENTAL INFORMATION REGARDING**

**TECHNICAL SPECIFICATIONS CHANGE REQUEST 99-01-0**

Limerick Generating Station, Units 1 and 2  
Response to Request for Supplemental Information  
Regarding Technical Specifications Change Request 99-01-0

**NRC Question**

*The June 22, 1999, submittal states that analyses that do not take credit for the MG set stops have been performed to develop generic flow biased ARTS thermal limits. The submittal also states that these analyses have been documented in NEDC-32847P, "ARTS Flow-dependent Limits with TBVOOS for PBAPS [Peach Bottom Atomic Power Station] and LGS" June 1998. These analyses provide the basis for the licensee's request to remove the TS MG set stop surveillance requirement. It is requested that you identify the methodology used to perform these analyses by December 15, 1999. This request for additional information was discussed with your staff on November 10, 1999, and the above response date was mutually acceptable. [Note: Per telecons with the NRC Staff on December 14/15, 1999 it was determined that the NRC would need a copy of NEDC-32847P submitted on the docket in order to complete its review of this technical specifications change request. Because the NEDC is a General Electric (GE) Company Proprietary document, agreement was reached with the NRC Staff to formally respond to this RAI by January 7, 2000 in order for GE to prepare the necessary documents (proprietary version, non-proprietary version, and affidavit) necessary to fulfill the NRC's request.]*

**Response**

NEDC-32847P provides the methodology used to perform the analyses. Proprietary and non-proprietary versions of this document are provided as attachments to this response.

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# **ATTACHMENT 3**

## **GE AFFIDAVIT**

# General Electric Company

## AFFIDAVIT

**I, David J. Robare, being duly sworn, depose and state as follows:**

- (1) I am a Technical Account Manager, Technical Services Projects, 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 GE proprietary report NEDC-32847P, *ARTS Flow-Dependent Limits with TBVOOS for Peach Bottom Atomic Power Station and Limerick Generating Station*, Class III (GE Company Proprietary Information), dated June 1998. The proprietary information is delineated by bars marked in the margin adjacent to the specific material.
- (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 CFR -9.17(a)(4), 2.790(a)(4), and 2.790(d)(1) 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.

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. 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. Its initial designation as proprietary information, and the subsequent steps taken to prevent its unauthorized disclosure, are as set forth in paragraphs (6) and (7) following.
- (6) Initial approval of proprietary treatment of a document is made 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), above, is classified as proprietary because it contains detailed results of analytical models, methods and processes, including computer codes, which GE has developed, obtained NRC approval of, and applied to perform evaluations of transients for the BWR.



The development and approval of the BWR transient analysis computer code used in this analysis was achieved at a significant cost, on the order of a million dollars, to GE.

The development of the evaluation process along with the interpretation and application of the analytical results is derived from the extensive experience database that constitutes a major GE asset.

- (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 information 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.

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 CALIFORNIA )  
 )  
COUNTY OF SANTA CLARA )

ss:

David J. Robare, being duly sworn, deposes and says:

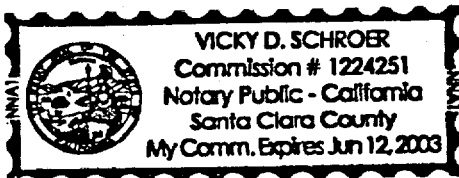
That he has read the foregoing affidavit and the matters stated therein are true and correct to the best of his knowledge, information, and belief.

Executed at San Jose, California, this 22<sup>nd</sup> day of DECEMBER 1999.



David J. Robare  
General Electric Company

Subscribed and sworn before me this 22<sup>nd</sup> day of December 1999.

  
Notary Public, State of California

**ATTACHMENT 4**

**NON-PROPRIETARY INFORMATION**