

May 29, 2008 NRC:08:036

Document Control Desk U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001

## Response to a Request for Additional Information Regarding ANP-10285P, "Fuel Assembly Mechanical Design Topical Report" (TAC No. MD7040)

- Ref. 1: Letter, Ronnie L. Gardner (AREVA NP Inc.) to Document Control Desk (NRC), "Request for Review and Approval of ANP-10285P, 'U.S. EPR Fuel Assembly Mechanical Design Topical Report'," NRC:07:051, October 2, 2007.
- Ref. 2: Letter, Getachew Tesfaye (NRC) to Ronnie L. Gardner (AREVA NP Inc.), "Request for Additional Information Regarding ANP-10285P, 'Fuel Assembly Mechanical Design Topical Report' (TAC No. MD7040)," April 29, 2008.
- Ref. 3: Letter, Getachew Tesfaye (NRC) to Sandra M. Sloan (AREVA NP Inc.), "AREVA NP Inc. U.S. EPR Standard Design Certification Application Review Schedule,"

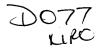
  March 26, 2008.

AREVA NP Inc. (AREVA NP) requested the NRC's review and approval of topical report ANP-10285(P), "U.S. EPR Fuel Assembly Mechanical Design Topical Report" in Reference 1. The NRC provided a Request for Additional Information (RAI) regarding this topical report in Reference 2. As noted in Reference 2, AREVA NP requested and the NRC agreed that AREVA NP will provide responses to 12 of the 19 RAIs within 30 days of the date of Reference 2 and responses to the remaining 7 RAIs (1-3, 11, 13, 17, and 18) within 45 days of the date of Reference 2.

Accordingly, the responses to RAIs 4-10, 12, 14-16, and 19 are enclosed with this letter, ANP-10285Q1P, "Response to Request for Additional Information ANP-10285P, 'U.S. EPR Fuel Assembly Mechanical Design Topical Report' (TAC No. MD7040)."

AREVA NP references the topical report ANP-10285 in the Final Safety Analysis Report for the U.S. EPR. Reference 3 states that the NRC plans to complete its review of the topical report and issue the draft safety evaluation by August 21, 2008.

AREVA NP understands that this timely response to the RAI supports the scheduled deliverable of the draft safety evaluation.



AREVA NP considers some of the material contained in the attachments to this letter to be proprietary. As required by 10 CFR 2.390(b), an affidavit is enclosed to support the withholding of the information from public disclosure. Proprietary and non-proprietary versions of the enclosure to this letter are provided on the enclosed CDs.

If you have any questions related to this submittal, please contact Ms. Sandra M. Sloan, Regulatory Affairs Manager for New Plants Deployment. She may be reached by telephone at 434-832-2369 or by e-mail at <a href="mailto:sandra.sloan@areva.com">sandra.sloan@areva.com</a>.

Sincerely,

Ronnie L. Gardner, Manager Corporate Regulatory Affairs AREVA NP Inc.

**Enclosures** 

J.

CC:

Rycyna

G. Tesfaye

Docket No. 52-020

## AFFIDAVIT

STATE OF VIRGINIA)		
	)	SS
COUNTY OF CAMPBELL	)	

- 1. My name is Russell D. Wells. I am an Advisory Engineer for AREVA NP Inc. and as such I am authorized to execute this Affidavit.
- 2. I am familiar with the criteria applied by AREVA NP to determine whether certain AREVA NP information is proprietary. I am familiar with the policies established by AREVA NP to ensure the proper application of these criteria.
- 3. I am familiar with the AREVA NP information contained in attachments to letter NRC:08:036, Response to Request for Additional Information ANP-10285P "U.S. EPR Fuel Assembly Mechanical Design Topical Report", dated May 29, 2008, and referred to herein as "Document." Information contained in this Document has been classified by AREVA NP as proprietary in accordance with the policies established by AREVA NP for the control and protection of proprietary and confidential information.
- 4. This Document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by AREVA NP and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in this Document as proprietary and confidential.
- 5. This Document has been made available to the U.S. Nuclear Regulatory

  Commission in confidence with the request that the information contained in this Document be withheld from public disclosure. The request for withholding of proprietary information is made in accordance with 10 CFR 2.390. The information for which withholding from disclosure is

requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information".

- 6. The following criteria are customarily applied by AREVA NP to determine whether information should be classified as proprietary:
  - (a) The information reveals details of AREVA NP's research and development plans and programs or their results.
  - (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
  - (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for AREVA NP.
  - (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA NP in product optimization or marketability.
  - (e) The information is vital to a competitive advantage held by AREVA NP, would be helpful to competitors to AREVA NP, and would likely cause substantial harm to the competitive position of AREVA NP.

The information in the Document is considered proprietary for the reasons set forth in paragraphs 6(b) and 6(c) above.

- 7. In accordance with AREVA NP's policies governing the protection and control of information, proprietary information contained in this Document have been made available, on a limited basis, to others outside AREVA NP only as required and under suitable agreement providing for nondisclosure and limited use of the information.
- 8. AREVA NP policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Mandells

SUBSCRIBED before me this 29th

day of May 2008.

Kathleen A. Bennett

NOTARY PUBLIC, STATE OF VIRGINIA MY COMMISSION EXPIRES: 08/31/2011

KATHLEEN ANN BENNETT
Notary Public
Commonwealth of Virginia
110864
My Commission Expires Aug 31, 2011