

WOLF CREEK

NUCLEAR OPERATING CORPORATION

Forrest T. Rhodes
Vice President
Engineering & Technical Services

August 21, 1990
ET 90-0132

U. S. Nuclear Regulatory Commission
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Washington, D. C. 20555

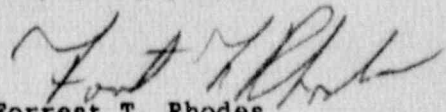
Subject: Rod Exchange Methodology for Startup Physics Testing

The purpose of this letter is to submit Wolf Creek Nuclear Operating Corporation's (WCNOC) Rod Exchange Methodology for Startup Physics Testing Topical Report for Nuclear Regulatory Commission (NRC) review and approval. This submittal was discussed at a meeting between the NRC staff and WCNOC which took place on May 18, 1989. The Topical report is being provided as Attachment I. It is requested that NRC complete its review and approve this submittal by July 1, 1991 to support the Cycle 6 operation of Wolf Creek Generating Station. Attachment II of this submittal provides the projected schedule of submittals for the remaining Reload Analyses topical reports.

In accordance with the provisions of 10 CFR 2.790, it is respectfully requested that Attachment I to this letter be regarded as proprietary information and be withheld from public disclosure on the grounds that it contains trade secrets and confidential commercial information. The affidavit, which accompanies this letter, sets forth the basis by which this information should be withheld from public disclosure by the Commission and addressees.

As discussed with Mr. D. V. Pickett NRC, Attachment I in its entirety is to be regarded as proprietary information until the NRC review is complete, at which time WCNOC will indicate the specific portions within the report which are proprietary.

Very truly yours,


Forrest T. Rhodes
Vice President
Engineering & Technical Services

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Attachments

cc: R. D. Martin (NRC), w/a
D. V. Pickett (NRC), w/a
M. E. Skow (NRC), w/a
J. S. Wiebe (NRC), w/a

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AFFIDAVIT

STATE OF KANSAS)
) SS
COUNTY OF COFFEY)

Before me, the undersigned authority, personally appeared Forrest T. Rhodes, who, being by me duly sworn according to law, deposes and says:

- (1) I am Vice President Engineering and Technical Services for the Wolf Creek Nuclear Operating Corporation (WCNOC), and I have been specifically delegated the function of reviewing the proprietary information sought to be withheld from public disclosure in WCNOC's submittal of Rod Exchange Methodology for Startup Physics Testing topical report, and am authorized to apply for its withholding on behalf of WCNOC.
- (2) I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.790 of the Commission's regulations and in conjunction with WCNOC letter ET 90-0132 for Rod Exchange Methodology for Startup Physics Testing topical report submittal accompanying this affidavit.
- (3) I have personal knowledge of the criteria and procedures utilized by WCNOC in designating information as a trade secret, privileged or as confidential commercial.
- (4) 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 should be withheld.
 - (i) The information sought to be withheld from public disclosure has been held in confidence by WCNOC. The information is of a type customarily held in confidence by other organizations and not customarily disclosed to the public.

Based on a review of 10 CFR 2.790, the information to be held in confidence falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:

- (a) The information reveals the distinguishing aspects of a process or a method, where prevention of its use by any other company without license from WCNOG constitutes a competitive economic advantage over other companies.
- (b) It consists of supporting data relative to a process or a method, the application of which secures a competitive advantage.
- (c) Its use by another company would reduce its expenditure of resources or improve its competitive position in the design, assurance of quality, or licensing a similar product.
- (d) It is not the property of WCNOG, but must be treated as proprietary by WCNOG according to agreements with the owners of the information.

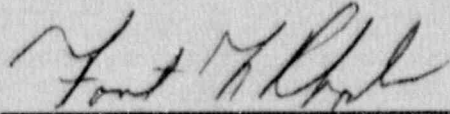
There are sound reasons behind the WCNOG position which include the following:

- (a) It is information which is marketable in many ways.
 - (b) Use by other companies would put WCNOG at a competitive disadvantage by reducing their expenditure of resources at our expense.
 - (c) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire puzzle, thereby depriving WCNOG of a competitive advantage.
- (ii) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.790, it is to be received in confidence by the Commission.
 - (iii) The information sought to be protected is not available in public sources to the best of our knowledge and belief.
 - (iv) The proprietary information sought to be withheld in this submittal is the Rod Exchange Methodology for Startup Physics Testing topical report, dated July, 1990.

The subject information could only be duplicated by competitors if they were to invest time and effort equivalent to that invested by WCNOG provided they have the requisite talent and experience.

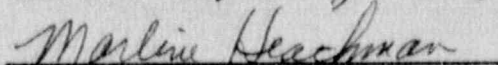
Public disclosure of this information is likely to cause substantial harm to the competitive position of WCNOG because it would simplify design and evaluation tasks without requiring a commensurate investment of time and effort.

- (5) The above statements are true and correct to the best of my knowledge, information and belief.



Forrest T. Rhodes
Vice President
Engineering & Technical Services

SUBSCRIBED and sworn to before me this 20 day of August, 1990.


Marlene Heachman
Notary Public

My Commission Expires: August 4, 1994



ATTACHMENT I

ROD EXCHANGE METHODOLOGY TOPICAL REPORT

ATTACHMENT II

WOLF CREEK NUCLEAR OPERATING CORPORATION

TOPICAL REPORT SUBMITTAL SCHEDULE

WCNOC RELOAD DESIGN SCHEDULE

AUG 90 Rod Exchange & Core T/H Topicals Submittals to NRC
SEP 90
OCT 90
NOV 90
DEC 90
JAN 91 Transient Topical Submittal to NRC
FEB 91
MAR 91
APR 91
MAY 91
JUN 91
JUL 91 NRC Approval for Rod Exchange Topical
AUG 91
SEP 91
OCT 91
NOV 91
DEC 91 Core Design & RSE Topicals Submittals to NRC
JAN 92 NRC Approval for Core T/H Topical
FEB 92
MAR 92
APR 92
MAY 92
JUN 92 NRC Approval for Transient Topical
JUL 92
AUG 92
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JAN 93
FEB 93 NRC Approval for Core Design & RSE Topicals
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