

**ENERGY
NORTHWEST**

P.O. Box 968 ■ Richland, Washington 99352-0968

December 4, 2000
GO2-00-200

Docket No. 50-397

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

Gentlemen:

Subject: **WNP-2, OPERATING LICENSE NPF-21
REQUEST FOR APPROVAL OF ALTERNATE RISK-INFORMED
INSERVICE INSPECTION (RI-ISI) REQUIREMENTS
(ADDITIONAL INFORMATION)**

Reference: Letter GO2-00-141, dated August 16, 2000, RL Webring (Energy Northwest) to NRC, "Request for Approval of Alternate Risk-Informed Inservice Inspection (RI-ISI) Requirements"

The staff has request the submittal of EPRI Report TR-1118800 that provides information supporting our request for approval of alternate risk-informed inservice inspection (RI-ISI) requirements.

The additional information is included as Attachment A. Some of the material in TR-111880 has been identified as proprietary. Therefore, pursuant to the requirements of 10 CFR 2.790, an affidavit is enclosed to support the withholding of this information from public disclosure under the provisions of 10 CFR 2.790. A non-proprietary version, TR-111880-NP, has been prepared and is enclosed as Attachment B.

Should you have any questions or desire additional information regarding the matter, please call me or PJ Inserra at (509) 377-4147.

Respectfully,



DW Coleman (Mail Drop PE20)
Manager, Regulatory Affairs

Attachments

cc: EW Merschhoff-w/o att. NRC RIV
JS Cushing-w/att. NRC NRR
NRC Sr. Resident Inspector-w/o att. 988C

DL Williams -w/o att. BPA/1399
TC Poindexter -w/o att. Winston & Strawn

APOI

AFFIDAVIT

STATE OF WASHINGTON)
)
)
COUNTY OF BENTON)

Subject: EPRI TR-111880, "Piping System Failure Rates and Rupture Frequencies for Use In Risk-Informed In-service Inspection Applications", Final Report, September 1999

I, D.W. Coleman, being duly sworn, subscribe to and say that I am the Manager, Regulatory Affairs, for ENERGY NORTHWEST, the applicant herein; that I have the full authority to execute this oath; that I have reviewed the foregoing; and that to the best of my knowledge, information, and belief the statements made in it are true.

The Attachment A to this letter contains information that is considered by The Electric Power Research Institute (EPRI) to be proprietary. Attached is an affidavit executed by, Theodore U. Marston, Ph.D., Vice President & Chief Nuclear Officer, EPRI, dated November 22, 2000, which provides the basis on which it is claimed that the subject document should be withheld from public disclosure under the provisions of 10 CFR 2.790. Attachment B contains a non-proprietary version (TR-111880-NP) suitable for public disclosure.

Energy Northwest treats the subject document as proprietary information on the basis of statements by the owner. In submitting this information to the NRC, Energy Northwest requests that the subject document be withheld from public disclosure in accordance with 10 CFR 2.790.

DATE December 4, 2000

D.W. Coleman
D.W. Coleman
Manager, Regulatory Affairs

On this date personally appeared before me D.W. Coleman, to me known to be the individual who executed the foregoing instrument, and acknowledged that he signed the same as his free act and deed for the uses and purposes herein mentioned.

GIVEN under my hand and seal this 4 day of December 2000.

For A. Mix
Notary Public in and for the
STATE OF WASHINGTON

Residing at Benton County

My Commission Expires 3-29-01

AFFIDAVIT

RE: "Piping System Failure Rates and Rupture Frequencies for Use in Risk Informed In-Service Inspection Applications," EPRI Report TR-111880, September, 1999

I, THEODORE U. MARSTON, being duly sworn, depose and state as follows:

I am a Vice President at the Electric Power Research Institute ("EPRI") and I have been specifically delegated responsibility for the report listed above that is sought under this affidavit to be withheld (the "Report") and authorized to apply for their withholding on behalf of EPRI. This affidavit is submitted to the Nuclear Regulatory Commission ("NRC") pursuant to 10 CFR 2.790 (a)(4) based on the fact that the Report consists of trade secrets of EPRI and that the NRC will receive the Report from EPRI under privilege and in confidence.

The basis for withholding such Report from the public is set forth below:

(i) The Report has been held in confidence by EPRI, its owner. All those accepting copies of the Report must agree to preserve the confidentiality of the Report.

(ii) The Report is a type customarily held in confidence by EPRI and there is a rational basis therefor. The Report is a type, which EPRI considers as a trade secret(s) and is held in confidence by EPRI because to disclose it would prevent EPRI from licensing the Report at fees, which would allow EPRI to recover its investment. If consultants and/or other businesses providing services in the electric/nuclear power industry were able to publicly obtain the Report, they would be able to use it commercially for profit and avoid spending the large amount of money that EPRI was required to spend in preparation of the Report. The rational basis that EPRI has for classifying this/these Report(s) as a trade secrets is justified by the Uniform Trade Secrets Act, which California adopted in 1984 and which has been adopted by over twenty states. The Uniform Trade Secrets Act defines a "trade secret" as follows:

"Trade secret" means information, including a formula, pattern, compilation, program, device, method, technique, or process, that:

(1) Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and

(2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

(iii) The Report will be transmitted to the NRC in confidence.

(iv) The Report is not available in public sources. EPRI developed the Report only after making a determination that the Report was not available from public sources. It required a large expenditure of dollars for EPRI to develop the Report. In addition, EPRI was required to use a large amount of time of EPRI employees. The money spent, plus the value of EPRI's staff time in preparing the Report, show that the Report is highly valuable to EPRI. Finally, the Report was developed only after a long period of effort of at least several months.

(v) A public disclosure of the Report would be highly likely to cause substantial harm to EPRI's competitive position and the ability of EPRI to license the Report both domestically and internationally. The Report can only be acquired and/or duplicated by others using an equivalent investment of time and effort.

I have read the foregoing and the matters stated therein are true and correct to the best of my knowledge, information and belief. I make this affidavit under penalty of perjury under the laws of the United States of America and under the laws of the State of California.

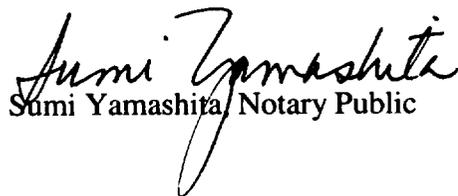
Executed at 3412 Hillview Avenue, Palo Alto, being the premises and place of business of the Electric Power Research Institute:

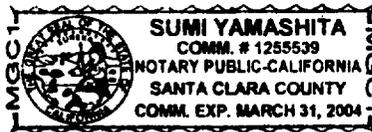
November 1, 2000



Theodore U. Marston

Subscribed and sworn before me this day: November 1, 2000


Sumi Yamashita, Notary Public



**REQUEST FOR APPROVAL OF ALTERNATE
RISK-INFORMED INSERVICE INSPECTION (RI-ISI)
REQUIREMENTS (ADDITIONAL INFORMATION)
Attachment A**

Proprietary Report

**EPRI TR-111880, "Piping System Failure Rates and Rupture
Frequencies for Use In Risk-Informed In-service Inspection
Applications," Final Report, September 1999**