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BWRVIP BWR Vessel & Internals Project 2004-413

September 24, 2004

Document Control Desk
U. S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Attention: Meena Khanna

Subject: Project No. 704 – BWRVIP-128: BWR Vessel and Internals Project, Updated Fluence Calculations for Supplemental Surveillance Capsules D, G, and H Using RAMA Fluence Methodology

References:
1. Letter from Carl Terry (BWRVIP Chairman) to Document Control Desk (NRC) "Project No. 704 – Transmittal of BWRVIP-87," dated October 23, 2002.
2. Letter from Carl Terry (BWRVIP Chairman) to Document Control Desk (NRC), "Project No. 704 – BWRVIP-114: BWR Vessel and Internals Project, RAMA Fluence Methodology Theory Manual," dated June 11, 2003.

Enclosed are ten (10) copies of the report "BWRVIP-128: BWR Vessel and Internals Project, Updated Fluence Calculations for Supplemental Surveillance Capsules D, G, and H Using RAMA Fluence Methodology," EPRI Technical Report 1010997, August 2004. This report is being transmitted as a means of exchanging information with the NRC for the purpose of supporting generic regulatory improvements related to methodologies to determine neutron fluence in BWR internal components.

In February 2002 the NRC issued a Safety Evaluation approving the BWRVIP Integrated Surveillance Program (ISP). While the NRC was reviewing the BWRVIP ISP submittals, testing of surveillance capsules was conducted to provide accurate and timely results. The initial surveillance capsules tested and evaluated by the BWRVIP were Supplemental Surveillance Capsules D, G, and H. These tests and evaluations were completed in 2000 and the report BWRVIP-87 was transmitted to the NRC by Reference 1 above. At the time these tests and evaluations were performed, the NRC had not yet finalized Regulatory Guide 1.190, "Calculational and Dosimetry Methods for Determining Pressure Vessel Neutron Fluence." Therefore, the fluence values in the BWRVIP-87 document were not determined with a methodology approved by the NRC for compliance with Regulatory Guide 1.190. However, the BWRVIP committed to re-calculate the fluence values for the materials in Supplemental Surveillance Capsules D, G, and H with a methodology that complies with Regulatory Guide 1.190 and provide that information to the NRC. The enclosed report provides these

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updated fluence calculations for Supplemental Surveillance Capsules D, G, and H using the RAMA Fluence Methodology in accordance with Regulatory Guide 1.190. The RAMA Fluence Methodology is described in the BWRVIP-114 report that was transmitted to the NRC by Reference 2 above.

Please note that the enclosed report contains proprietary information. A letter requesting that the report be withheld from public disclosure and an affidavit describing the basis for withholding this information are provided as Attachment 1.

If you have any questions on this subject, please contact George Inch (Constellation Energy, BWRVIP Assessment Committee Technical Chairman) by telephone at 315.349.2441.

Sincerely,

William A. Eaton

William A. Eaton
Entergy Operations
Chairman, BWR Vessel and Internals Project

c: Lambros Lois, NRC

Attachment 1

ELECTRIFY THE WORLD

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September 23, 2004

Document Control Desk
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Washington DC, 20555

Subject: "BWRVIP-128: BWR Vessel and Internals Project, Updated Fluence Calculations for Supplemental Surveillance Capsules D, G, and H Using RAMA Fluence Methodology," EPRI Technical Report 1010997, August 2004

Gentlemen:

This is a request under 10CFR2.390 that the NRC withhold from public disclosure the information identified in the enclosed affidavit consisting of EPRI owned Proprietary Information identified above (the "Report"). Copies of the Report and the affidavit in support of this request are enclosed.

EPRI desires to disclose the Report in confidence to the NRC as a means of exchanging information in support of generic regulatory improvements relating to methodologies to determine neutron fluence in BWR internal components. Further, EPRI welcomes any discussion with the NRC regarding the Report that the NRC desires to conduct.

The Report is for the NRC's internal use and may be used only for the purposes for which it is disclosed by EPRI. The report should not be otherwise used or disclosed to any person outside the NRC without prior written permission from EPRI.

If you have any questions about the legal aspects of this request for withholding, please do not hesitate to contact me at (650) 855-2039. Questions on the contents of the Report should be directed to Mr. Tom Mulford of EPRI at (650) 855-2766.

Sincerely,

Warren J. Bilanin

Warren J. Bilanin
Director, Nuclear Power Sector

Enclosures

c: Licensing

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AFFIDAVIT

RE: "BWRVIP-128: BWR Vessel and Internals Project, Updated Fluence Calculations for Supplemental Surveillance Capsules D, G, and H Using RAMA Fluence Methodology," EPRI Technical Report 1010997, August 2004

I, WARREN J. BILANIN, being duly sworn, depose and state as follows:

I am a Director 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 2.390 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.

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(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:

September 23, 2004

Warren J. Bilanin

Subscribed and sworn before me this day: September 23, 2004

Nichole Alexandra Edraos, Notary Public

NICHOLE ALEXANDRA EDRAOS
Comm. # 1295461
NOTARY PUBLIC - CALIFORNIA
Santa Clara County
My Comm. Expires Feb. 26, 2005

ALL-PURPOSE ACKNOWLEDGEMENT

State of California
County of Santa Clara } ss.

On September 23 (DATE) before me, Nichole Alexandra Edraos (NOTARY),
personally appeared Warren Bilann (SIGNER(S))

☑ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

NICHOLE ALEXANDRA EDRAOS
Comm. # 1295461
NOTARY PUBLIC - CALIFORNIA
Santa Clara County
My Comm. Expires Feb. 26, 2005

WITNESS my hand and official seal.

Nichole Alexandra Edraos
NOTARY'S SIGNATURE

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

☐ INDIVIDUAL
☐ CORPORATE OFFICER

_____
TITLE(S)

☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

DESCRIPTION OF ATTACHED DOCUMENT

_____
TITLE OR TYPE OF DOCUMENT

_____
NUMBER OF PAGES

_____
DATE OF DOCUMENT

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OTHER

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

_____

RIGHT THUMBPRINT OF SIGNER

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