



NUCLEAR ENERGY INSTITUTE

Alexander Marion
SENIOR DIRECTOR, ENGINEERING
NUCLEAR GENERATION DIVISION

March 14, 2005

Mr. Michael E. Mayfield
Director, Division of Engineering
Mail Stop O-9E3
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: Impact of the Revised Steam Generator Structural Integrity
Performance Criterion on Steam Generator Integrity
Evaluations

PROJECT NUMBER: 689

Dear Mr. Mayfield:

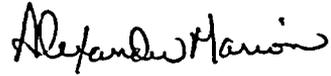
The Steam Generator Management Project (SGMP) has recently completed a study of the impact of its revised steam generator (SG) structural integrity performance criterion (SIPC) on SG tube integrity evaluations. We have briefed the staff on the status of this study several times in the past year. The SGMP's final report on the study is attached for your information.

Some of the information in the SIPC Impact Study is proprietary to EPRI. The proprietary information in the enclosed CDs is supported by the enclosed signed affidavit. The affidavit sets forth the basis on which the information may be withheld from public disclosure by the Commission and addresses with specificity, the consideration listed in paragraph (b)(4) of Section 2.790 of the Commission's regulations. Accordingly, we respectfully request that the proprietary information be withheld from public disclosure in accordance with 10 CFR 2.790. A non-proprietary version of this information is also provided.

Mr. Michael E. Mayfield
March 14, 2005
Page 2

If you have any questions, please feel free to contact me (202-739-8080; am@nei.org)
or Jim Riley (202-739-8137; jhr@nei.org).

Sincerely,



Alexander Marion

Enclosure

c: William H. Bateman
Louise Lund
Kenneth Karwoski
Emmett Murphy

February 11, 2005

Mr. James Riley
NEI
1776 I St. NW, Suite 400
Washington, DC 20006-3708

Dear Jim:

Subject: "Impacts of the Structural Integrity Performance Criterion on Steam Generator Tube Integrity Evaluations," EPR I Report 1009541, December 2004.

Copies of the final version of the subject Report are enclosed on CDs, and include both Proprietary and Non-Proprietary versions. One Proprietary copy and one Non-Proprietary copy are for NEI. Eleven Proprietary copies and two Non-Proprietary copy are provided for transmittal to the NRC.

In addition, an EPR I transmittal letter and affidavit are provided to specifically address the Proprietary version of the Report and should accompany the Report that is sent to the NRC.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Edward L. Fuller
Project Manager

Enclosure

c: Mohamad Behravesh
Helen Cothron
Greg Kammerdeiner
Forrest Hundley

February 21, 2005

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

Subject: "Impacts of the Structural Integrity Performance Criterion on Steam Generator Tube Integrity Evaluations," EPRI Report 1009541, December 2004.

Gentlemen:

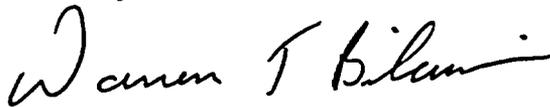
This is a request under 10CFR2.790(a)(4) that the NRC withhold from public disclosure the information identified in the enclosed affidavit consisting of EPRI owned Proprietary Information identified above (the "Report"). Copies of the Report and the affidavit in support of this request are enclosed.

The Electric Power Research Institute (EPRI) desires to disclose the Report in confidence to the NRC to facilitate its reviews of Industry Steam Generator Tube Integrity Assessments. 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 (704) 547-6173. Questions on the contents of the Report should be directed to Edward L. Fuller of EPRI at (650) 855-2328.

Sincerely,



Warren J. Bilanin
Director, Nuclear Power Sector

Enclosures (1)

Cc: Licensing
Jim Riley/NEI



AFFIDAVIT

RE: "Impacts of the Structural Integrity Performance Criterion on Steam Generator Tube Integrity Evaluations," EPRI Report 1009541, December 2004.

I, WARREN 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 2.790 (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 therefore. 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.
 - (i) The Report will be transmitted to the NRC in confidence.

- (ii) 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.

- (iii) 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:

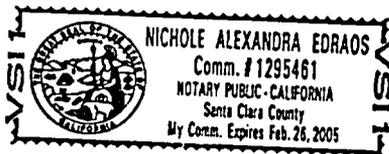
February 21, 2005


Warren J. Bilanin

Subscribed and sworn before me this day: February 21, 2005


Nichole Alexandra Edraos

See attached sheet for Turret.



SUBSCRIBING WITNESS JURAT

State of California

County of San Jose } SS.

On 2/21/05, before me, the undersigned, a notary public for the state, personally

appeared Barbara Jeanne Ryan, personally known to me (or proved to

SUBSCRIBING WITNESS'S NAME

me on the oath of _____, who is personally known to me) to

CREDIBLE WITNESS'S NAME

be the person whose name is subscribed to the within instrument, as a witness there to, who, being by me duly sworn, deposited and said that he/she was present and

saw Warren Blann the

NAME(S) OF PRINCIPAL(S)

same person(s) described in and whose name(s) is/are subscribed to the within and annexed instrument in his/her/their authorized capacity(ies) as (a) party(ies) thereto, execute the same, and that said affiant subscribed his/her name to the within instrument as a witness at the request of

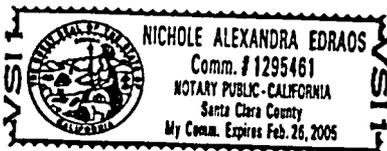
Warren Blann

NAME(S) OF PRINCIPAL(S)

WITNESS my hand and official seal.

Nichole Alexandra Edraos

NOTARY'S SIGNATURE



OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- INDIVIDUAL
- CORPORATE OFFICER

TITLE(S)

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

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

DESCRIPTION OF ATTACHED DOCUMENT

WRC Affidavit
TITLE OR TYPE OF DOCUMENT

3, 2 + cover page
NUMBER OF PAGES

2/21/05
DATE OF DOCUMENT

OTHER

**RIGHT THUMBPRINT
OF
SIGNER**

