



NUCLEAR ENERGY INSTITUTE

**Alexander Marion**  
SENIOR DIRECTOR, ENGINEERING  
NUCLEAR GENERATION DIVISION

September 7, 2005

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

**SUBJECT:** Materials Reliability Program: Technical Basis for Preemptive  
Weld Overlays for Alloy 82/182 Butt Welds in PWRs (MRP-169)

**PROJECT NUMBER: 689**

The EPRI Materials Reliability Program has completed MRP-169, *Technical Basis for Preemptive Weld Overlays for Alloy 82/182 Butt Welds in PWRs*. This document provides detailed methodology and criteria for the use of preventative weld overlays as a mitigation measure for PWSCC in PWR primary coolant pipe welds. The document also provides suggested post weld overlay examination protocol (frequency and coverage volume) that is consistent with relevant industry and regulatory guidelines. This letter forwards MRP-169 for your review and approval.

The proprietary information in the attached report is supported by the signed affidavit in Enclosure 1. 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 2.390 of the Commission's regulations. Accordingly, we respectfully request that the information, which is proprietary to EPRI, be withheld from public disclosure in accordance with 10 CFR 2.390. A non-proprietary version of this information is also included.

We believe NRC staff review of the enclosed report is exempt from the fee recovery provision contained in 10 CFR Part 170. EPRI has already provided the NRC's Chief Financial Officer a written justification for a waiver of NRC review fees for this document in a letter from Mr. D. Modeen dated July 21, 2005. In this letter, EPRI stated its intent to submit this report within a month for review. Pre-approval of the methodology by NRC for industry-wide use will simplify NRC reviews by reducing or eliminating the need for case-by-case review and approval of individual requests for each application. There are about six utilities prepared to implement this methodology in 2006. Review fees in such cases are exempted under §170.11, Exemptions, Subpart (a) (1) (iii). This provision states, (a) "No application fees, license fees, renewal fees, inspection fees, or special project fees shall be

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required for...(1) A special project that is a request/report submitted to the NRC--  
(iii) As a means of exchanging information between industry organizations and the NRC for the specific purpose of supporting the NRC's generic regulatory.

We would be pleased to meet with you or provide any support necessary to expedite acceptance of the outstanding issues regarding the database. If you have any questions on this matter, please contact me (202.739.8080; [am@nei.org](mailto:am@nei.org)) or Jim Riley (202.739.8137; [jhr@nei.org](mailto:jhr@nei.org)).

Sincerely,



Alexander Marion

Enclosures

c: Mr. Michael E. Mayfield, U. S. Nuclear Regulatory Commission  
Mr. William H. Bateman, U. S. Nuclear Regulatory Commission  
Mr. Terence L. Chan, U. S. Nuclear Regulatory Commission  
Mr. Ted J. Sullivan, U. S. Nuclear Regulatory Commission  
Mr. Jay W. Collins, U. S. Nuclear Regulatory Commission

**Enclosure 1**

**Technical Basis for Preemptive Weld Overlays for  
Alloy 82/182 Butt Welds in PWRs  
(MRP-169)**

**Proprietary Affidavit**

September 2, 2005

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

Subject: Documentation of Materials Reliability Program: Technical Basis for  
Preemptive Weld Overlays for Alloy 82/182 Butt Welds in PWRs

Gentlemen:

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

- Materials Reliability Program: Technical Basis for Preemptive Weld Overlays for Alloy 82/182 Butt Welds in PWRs (MRP-169)

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The "Documentation" identified here is provided for information only and should be made available to NRC staff.

The "Documentation" is for the NRC's internal use and may be used only for the purposes for which it is disclosed by EPRI. The "Documentation" 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) 855-2340. Questions on the contents of the "Documentation" should be directed to Ms. Christine King of EPRI at (650) 855-2605.

Sincerely,



Warren J. Bilanin  
Director, Nuclear Power Sector

Enclosures

c: Licensing

## AFFIDAVIT

RE: Documentation of Materials Reliability Program Technical Basis Preemptive Weld Overlays for Alloy 82/182 Butt Welds in PWRs

- "Materials Reliability Program: Technical Basis for Preemptive Weld Overlays for Alloy 82/182 Butt Welds in PWRs (MRP-169) - Portions of Sections 4.1, 4.2, 4.4, 4.5, 5.1, 8.2, 8.3, 8.4, and 8.5 and All related Figures and Tables

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.

(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 2, 2005



Warren J. Bilanin

*See attached sheet for*

State of California

County of Santa Clara

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SS.

On September 2, 2005 before me, Nichole Alexandra Edraos, personally appeared Warren J. Bilanin

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 signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

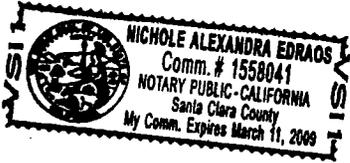
WITNESS my hand and official seal.

\_\_\_\_\_  
Nichole Adexandra Edraos

# California Jurat Loose Certificate

State of California  
County of Santa Clara } ss.

Subscribed to and sworn to (or affirmed) before me  
this 2nd day of September, 2005 by  
Warren T. Brkin



personally known to me or proved to me on the  
basis of satisfactory evidence to be the person(s)  
who appeared before me.

Nichole Alexandra Edraos  
Signature of Notary

## Other Information

This information is not required by state law, but is helpful in preventing fraud.

### Document Identification:

Name/Type: WRC Affidavit  
Date: \_\_\_\_\_ # of Pages: \_\_\_\_\_  
Other Info: \_\_\_\_\_  
Journal Entry #: \_\_\_\_\_

### Signer Information

Name: \_\_\_\_\_  
Capacity (if corporate): \_\_\_\_\_