

May 11, 2006

Via Overnight Delivery

Ms. Michelle C. Honcharik
Project Manager
United States Nuclear Regulatory Commission
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation
MS 7 E1A
Washington, D.C. 20555

Re: Materials Reliability Program: Primary System Piping Butt Weld Inspection and Evaluation Guideline (MRP-139) – Parts of Section 1.2, 5, and 6, and all of the Appendices

Dear Ms. Honcharik:

This letter is being sent in response to your letters dated April 20, 2006 and May 9, 2006 addressed to Mr. Alexander Marion of the Nuclear Energy Institute (“NEI”) regarding the determination relating to Materials Reliability Program: Primary System Piping Butt Weld Inspection and Evaluation Guideline (MRP-139) – Sections 1.2, 5, 6, and Appendices (the “Proprietary Report”). The Proprietary Report was submitted to the United States Nuclear Regulatory Commission (“NRC”) together with two affidavits of the Electric Power Research Institute, Inc. (“EPRI”), dated July 19, 2005 and December 8, 2005, respectively, requesting that the documents be withheld from public disclosure pursuant to 10 C.F.R. § 2.390. In the April letter, you indicated that the NRC does not believe that the Proprietary Report should be withheld from the public and that it would be placed in the NRC’s Public Document Room. While the May letter indicated that the NRC believed continued review of our request was warranted and that a final determination would be made in two months, it did not rescind the April letter.

As a consequence of the determination expressed in the April letter and in light of the thirty (30) day period prescribed therein, EPRI hereby respectfully requests the withdrawal of the Proprietary Report from NRC consideration and requests the return of the Proprietary Report pursuant to 10 C.F.R. § 2.390(c)(3).

EPRI and NEI both desire to continue the discussions with NRC Staff regarding the Proprietary Report and its relevance to the issue of primary water stress corrosion cracking in primary system piping butt welds. Such discussions would continue with the understanding that EPRI and the NRC would work to come to an understanding as to which portions of the Proprietary Report may be withheld from public disclosure upon a subsequent submission of the information

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pursuant to 10 C.F.R. § 2.390. Additionally, EPRI and NEI will continue to work to provide a response to the technical comments provided by the NRC in its October 12, 2005 letter, as clarified during two subsequent telephone conference calls and the more recent public meeting held May 5, 2006.

If I can be of any service, please do not hesitate to contact me. I can be reached at 650-855-2116 or scasente@epri.com.

Sincerely,

ELECTRIC POWER RESEARCH INSTITUTE, INC.



Salvador A. Casente, Jr.
Associate General Counsel

cc: Mr. James E. Dyer, U.S. Nuclear Regulatory Commission
Mr. John A. Grobe, 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. David J. Modeen, EPRI
Mr. Warren J. Bilanin, EPRI
Ms. Rosa Yang, EPRI
Mr. David Steininger, EPRI
Ms. Christine King, EPRI
Mr. Alexander Marion, NEI