



10 CFR 50.4

June 8, 2006

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

UN #06-004

Subject: **NRC Project No. 746**  
**Estimated Schedule Projections for**  
**Follow-On Evolutionary Power Reactor**  
**License Applications**

UniStar Nuclear has performed a projection of the estimated time to prepare and submit an application for and obtain approval of combined licenses (i.e. COLs) for a number of U.S. Evolutionary Power Reactors (USEPRs) that are planned to follow after the submittal of a COL application for the reference plant USEPR by UniStar Nuclear. These schedule projections, provided in the attachment, illustrate the significant compression of both the license application preparation and NRC review times that can be achieved as a result of standardization by the applicant and the NRC's design-centered licensing review approach. This schedule compression should allow the NRC to use its resources more economically. Furthermore, standardization of the design should limit the number of non-site specific contentions that will apply to the follow-on applications thereby reducing the burden on the applicant and NRC staffs. In fact, we project that the license preparation, NRC review, and associated hearings could be completed within three years for the last USEPR in the initial series.

UniStar Nuclear is providing our schedule projections to the NRC for information and use in conducting planning for the NRC resources that will be applied to the review of numerous COL applications that are expected to be submitted beginning next year. Since we consider these projections to be commercially proprietary as described in 10 CFR 2.390, "Public inspections, exemptions, requests for withholding," paragraph (a) (4), we request that the attachment be withheld from public disclosure. Therefore, in accordance with 10 CFR 2.390 (b) (1) (ii), an affidavit supporting our application to withhold the schedule projection information, signed by an authorized UniStar Nuclear representative, is enclosed.

***Attachment Contains Proprietary Information as Described in 10 CFR 2.390***

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Attention: Document Control Desk  
June 8, 2006  
Page 2

If you have any questions or need additional information, please contact me at 410-230-4892.

Respectfully,

A handwritten signature in black ink, appearing to read "R. M. Krich". The signature is written in a cursive style with some loops and flourishes.

R. M. Krich

Cc: NRC Project Manager, USEPR (w/attachments)

Enclosure: Affidavit

Attachment: USEPR Schedule Projections Chart (proprietary)

**ENCLOSURE**  
**Affidavit of R. M. Krich**  
**(Page 1 of 2)**

Rod M. Krich, being duly sworn, hereby deposes and states as follows:

1. My name is R. M. Krich. I am the Senior Vice President, Regulatory Affairs for UniStar Nuclear, LLC "UniStar".
2. I have been authorized by UniStar to execute this affidavit in support of UniStar's request to withhold the "USEPR Schedule Projections Chart," hereafter referred to as the "Chart," from public disclosure in accordance with the Nuclear Regulatory Commission's ("NRC's") regulations appearing at 10 C.F.R. § 2.390(a)(4).
3. The Chart is being submitted as a proprietary and confidential document in an attachment to UniStar's letter UN#06-004 from myself to the NRC's Document Control Desk.
4. The Chart is proprietary and confidential to UniStar because it contains commercial information that is not publicly available. Specifically, the Chart sets forth detailed information regarding the planning that UniStar has done concerning the licensing of the initial USEPR fleet. The Chart also reflects highly sensitive details regarding the relationship (e.g., schedule benefit) among the USERP's application and approval process. Finally, the Chart provides information, i.e., dates, that UniStar considers to be confidential to UniStar and its prospective alliance partners. Accordingly, UniStar considers the information among its most highly sensitive commercial information and , therefore, among the most protected information. Unistar restricts disclosure and distribution of this information to a very limited number of individuals, both internal and external to the company, due to the commercial sensitivity of such information.
5. The Chart was prepared with the explicit understanding that the document itself and the information contained within it would be treated as proprietary and confidential. UniStar maintains the position that the Chart and the information contained therein be withheld from public disclosure, and in fact UniStar has refrained from publicly disclosing the document or its contents.. To the best of my knowledge and belief, neither the Chart nor the information contained therein is available in any public source.
6. If the Chart or its contents were publicly disclosed, UniStar would suffer irreparable and incalculable harm. Specifically, UniStar's competitors would gain valuable insight into otherwise unavailable business strategies, plans, and schedules. By knowing the details included in the Chart, UniStar's competitors would obtain an unfair commercial advantage that would significantly affect UniStar's ability to compete. In addition, the success of the UniStar's future plans is governed in large part by the unique synergies that standardization imparts to the license approval schedule, and thus to publicly disclose these schedules as reflected in Chart would result in substantial harm to the competitive position of UniStar.

ENCLOSURE  
Affidavit of R. M. Krich  
(Page 2 of 2)

7. UniStar has already provided substantial information regarding its general plans. However, neither the specific details of the fleet schedules in the Chart nor the Chart itself have been publicly released for the reasons set forth above. Accordingly, withholding the Chart from disclosure will not adversely affect the public.
8. Given the inter-related nature of the schedule projections on the Chart, it is not possible to designate only certain portions of the document as proprietary and confidential. To attempt to redact specific proprietary information would render the remaining material essentially meaningless and of no value to the public. Rather, the entirety of the Chart must be considered proprietary and confidential, and the entire document must be withheld from public disclosure.
9. The Chart is being submitted to the NRC in confidence. The document and the information contained within is of a sort customarily held in confidence by UniStar and in fact has been held in confidence and not previously publicly released.

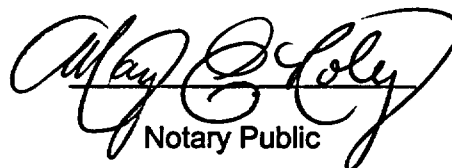
Further Affiant sayeth not.



R. M. Krich  
Senior Vice President, Regulatory Affairs,  
UniStar Nuclear, LLC

Subscribed and sworn before me, a Notary Public, in and for the State of Maryland and County of Baltimore, this 8<sup>th</sup> day of June, 2006.

WITNESS my hand and Notarial Seal:



Notary Public

My Commission Expires:

July 1, 2010

Date