

April 10, 2007

Document Control Desk  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**Subject: Request for Withholding of the Following Commercial Document:**

"Design Basis Accident Testing of Pressurized Water Reactor  
Unqualified Original Equipment Manufacturer Coatings", EPRI Report  
No. 1011753

To Whom It May Concern:

This is a request under 10 C.F.R. §2.390(a)(4) that the U.S. Nuclear Regulatory Commission ("NRC") withhold from public disclosure the information identified in the enclosed Affidavit consisting of the commercial information owned by Electric Power Research Institute, Inc. ("EPRI") and identified above (the "Report"). Copies of the Report and the Affidavit in support of this request are enclosed.

EPRI desires to disclose, in confidence, the Report as requested by the NRC in a letter dated February 21, 2007 from Stacey L. Rosenberg to David Modeen of EPRI. In addition, the NRC has requested a copy of the Report to allow an NRC contractor to review the same. The Report is not to be divulged to anyone outside of the NRC nor shall any copies be made of the Report provided herein. EPRI welcomes any discussions and/or questions relating to the information enclosed.

If you have any questions about the legal aspects of this request for withholding, please do not hesitate to contact me at 704-595-2169. Questions on the content of the Report should be directed to Timothy Eckert of EPRI at (704) 595-2058.

Sincerely,

ELECTRIC POWER RESEARCH INSTITUTE, INC.



David J. Modeen  
Vice President and Chief Nuclear Officer

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## AFFIDAVIT

**RE: Request for Withholding of the Following Commercial Document:**

“Design Basis Accident Testing of Pressurized Water Reactor Unqualified Original Equipment Manufacturer Coatings”, EPRI Report No. 1011753

I, DAVID J. MODEEN, being duly sworn, depose and state as follows:

I am a Vice President and the Chief Nuclear Officer of Electric Power Research Institute, Inc. whose principal office is located at 3420 Hillview Avenue, Palo Alto, California (“EPRI”) and I have been specifically delegated responsibility for the above-listed Report that is sought under this Affidavit to be withheld (the “Report”). I am authorized to apply to the U.S. Nuclear Regulatory Commission (“NRC”) for the withholding of the Report on behalf of EPRI.

EPRI requests that the Report be withheld from the public on the following bases:

Withholding Based Upon Privileged And Confidential Trade Secrets Or Commercial Or Financial Information:

a. The Report is owned by EPRI and constitutes commercial information which has not been placed in the public domain by EPRI.

b. EPRI made a substantial economic investment to develop the Report and, by prohibiting public disclosure, EPRI derives an economic benefit in the form of fees charged for the sale of the Report. The Report is entitled to the protection of the United States copyright laws. If the Report was publicly available to consultants and/or other businesses providing services in the electric and/or nuclear power industry at no cost, these entities would be able to use the Report for their own commercial benefit and profit and without expending the substantial economic resources required of EPRI to develop the Report.

c. EPRI made a substantial investment of both money and employee hours over an extended period of time in the development of the Report. As a result of such effort and cost, both in terms of dollars spent and dedicated employee time, the Report is highly valuable to EPRI.

d. 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 sell the Report both domestically and internationally. If a party does not purchase the Report from EPRI, it would require an investment of money, time and effort equivalent to that expended by EPRI for the party to duplicate the Report.

I have read the foregoing and the matters stated herein 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 1300 W T Harris Blvd, Charlotte, North Carolina being the premises and place of business of Electric Power Research Institute, Inc.

Date 4/10/07



David J. Modeen

Subscribed and sworn before me this 10<sup>th</sup> day of April 2007

Sherryl R. Stogner, Notary Public

My Commission expires August 23, 2009



ELECTRIC POWER  
RESEARCH INSTITUTE

**TRACY E. WILSON**

Executive Administrative Assistant  
Nuclear Power Sector

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## Wilson, Tracy

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**From:** Tanya Mensah [TME@nrc.gov]  
**Sent:** Monday, April 16, 2007 11:29 AM  
**To:** Wilson, Tracy  
**Cc:** Vine, Gary  
**Subject:** Fwd: Document Control Desk cannot process document(s) on CD-ROM

Good morning,

On April 10, 2007, EPRI submitted a Request For Withholding For Report No. 1011753, "Design Basis Accident Testing of Pressurized Water Reactor Unqualified Original Equipment Manufacturer Coatings" to the NRC. I was notified by the NRC Document Processing Desk that they are unable to process the document on the CD-ROM. Therefore the CD has been rejected on the basis that the CD contains files with security set. I've been asked to follow up with you to request that EPRI resolve the issue by promptly removing all securities on the PDF files and resubmitting a new CD which conforms to the document submittal guidance that is listed on the external NRC website. You can find this info on Section 2.4 of the Appendix A "Guidance for Electronic Submissions to the Commission." <http://www.nrc.gov/site-help/e-submittals/guid-elec-submission.pdf>

If you have any questions, feel free to contact me.

Tanya Mensah, Senior Project Manager  
Special Projects Branch  
Division of Policy and Rulemaking  
US Nuclear Regulatory Commission  
W: 301-415-3610  
Office: O-5-E14  
MS: O-7-E1A  
Email: tme@nrc.gov

To: Whom it may concern:

Please find unsecured CD along with a copy of the original letter & affidavit submitted on 4/10/07. Please ~~also~~ contact me if additional information is needed.

**Design Basis Accident Testing of  
Pressurized Water Reactor Unqualified  
Original Equipment Manufacturer  
Coatings**

Withhold from Public  
Disclosure Under  
10 CFR 2.390

#1011753  
Final Report  
September, 2005  
Copied 040907

Withhold from Public  
Disclosure Under  
10 CFR 2.390

Report are non-QA (Quality Assurance).  
The work described in Appendix B was  
prepared under Keating & Long  
in the requirements of Title 10  
50 Appendix B.

pro  
ppg