

November 27, 2007

Mr. Gary L. Vine, Executive Director
Federal and Industry Activities, Nuclear Sector
Electric Power Research Institute
2000 L Street, N.W., Suite 805
Washington, DC 20036

SUBJECT: ELECTRIC POWER RESEARCH INSTITUTE (EPRI), REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Vine:

By letter dated July 13, 2007, the EPRI submitted an affidavit dated July 16, 2007, executed by David J. Modeen, Vice President and Chief Nuclear Officer, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

EPRI Report No. 1009399, "Materials Reliability Program: Analysis of Stress Corrosion Crack in Alloy 182 Weld Metal After Exposure to PWR [Pressurized Water Reactor] Primary Water (MRP-107)."

Section 2.390(b)(1) of 10 CFR Part 2 requires the submitter to "comply with the document marking and affidavit requirements..." The submitted document does not comply with the requirements. In accordance with the regulations "documents not so marked may be made available to the public at the NRC Web site...."

Specifically, on July 23, 2007, I contacted Christine King of EPRI, to facilitate resolution of this matter. I also followed up by email and by telephone afterwards to determine if the comments I provided by email on July 23, 2007, had been addressed. I did not receive any feedback. The main concerns that I shared with Ms. King were that:

1. The cover letter states that a non-proprietary version of EPRI Report No. 1009399 was provided. However, no non-proprietary version of the report was made available to the NRC staff.
2. The report submitted is not marked with the appropriate headers to indicate which information is proprietary or non-proprietary.
3. There is a sentence on the cover page of the report which states that "this report contains the non-proprietary information that is included in the proprietary version of the report." The NRC staff does not understand how to interpret this statement since the report was not submitted in accordance with 2.390(b)(1).

G. Vine

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Since we have not received any written or verbal communication from EPRI, within 30 days from the date of this letter, you must resubmit EPRI Report No. 1009399, "Materials Reliability Program: Analysis of Stress Corrosion Crack in Alloy 182 Weld Metal After Exposure to PWR Primary Water (MRP-107)," with the proper markings or we may make the document available to the public.

If you have any questions regarding this matter, I may be reached at 301-415-3610.

Sincerely,

/RA/

Tanya M. Mensah, Senior Project Manager
Special Projects Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Project No. 669

cc: Mailing List

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Tanya M. Mensah, Senior Project Manager
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