

December 13, 2007

Dr. Nilesh Chokshi  
Chief, Risk Analysis Branch  
U.S. Nuclear Regulatory Commission  
One White Flint N (M/S T-10E10)  
11555 Rockville Pike  
Rockville, MD 20852-2739

Dear Dr Chokshi:

Enclosed please find ten (10) copies of each of the following documents:

1. EPRI Report No. 1015108 entitled "The Effects of High-Frequency Ground Motion on Structures, Components and Equipment in Nuclear Power Plants"; and
2. EPRI Report No. 1015109 entitled "Seismic Screening of Components Sensitive to High-Frequency Vibratory Motions".

Please note that the above listed report (the "Reports") were submitted to the U.S. Nuclear Regulatory Commission under appropriate Affidavits requesting that the Reports be withheld from public disclosure.

The Reports constitute proprietary information of the Electric Power Research Institute, Inc. As a result, the enclosed Reports should be distributed only to those NRC employees who have a need-to-know basis in connection with the combined license application submitted by Duke Energy.

Please don't hesitate to contact me should you have any questions.

Thank you,



Robert Kassawara  
Senior Project Manager  
Electric Power Research Institute

Attachment

Together . . . Shaping the Future of Electricity

*YGol*  
*Add: Nilesh Chokshi*  
*Add copies*  
*have been sent*  
*to N. Chokski*

December 11, 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:**

The Effects of High-Frequency Ground Motion on Structures,  
Components, and Equipment in Nuclear Power Plants – TR-  
1015108

To Whom It May Concern:

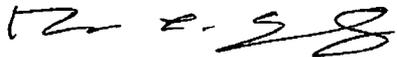
This is a request under 10 C.F.R. §2.390(a)(4) that the U.S. Nuclear Regulatory Commission (“NRC”) withhold from public disclosure the information identified in the enclosed Affidavit consisting of the commercial information owned by Electric Power Research Institute, Inc. (“EPRI”) identified above (the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

EPRI desires to disclose the Report in confidence due to a meeting that is scheduled with the NRC on December 20, 2007 to discuss high frequency. 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 (650) 855-2329. Questions on the content of the Report should be directed to Robert Kassawara of EPRI at (650) 855-2775.

Sincerely,

ELECTRIC POWER RESEARCH INSTITUTE, INC.



Rosa L. Yang  
Director, Materials and Chemistry

## AFFIDAVIT

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

The Effects of High-Frequency Ground Motion on Structures,  
Components, and Equipment in Nuclear Power Plants – TR-  
1015108

I, ROSA L. YANG, being duly sworn, depose and state as follows:

I am the Director, Materials and Chemistry 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 3420 Hillview Avenue, Palo Alto, California being the premises and place of business of Electric Power Research Institute, Inc.

December 11, 2007

Rosa L. Yang

Subscribed and sworn before me this day:

York Huang, Notary Public



December 11, 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:**

Seismic Screening of Components Sensitive to High-Frequency  
Vibratory Motions – TR-1015109

To Whom It May Concern:

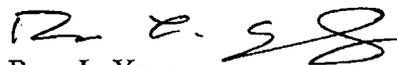
This is a request under 10 C.F.R. §2.390(a)(4) that the U.S. Nuclear Regulatory Commission (“NRC”) withhold from public disclosure the information identified in the enclosed Affidavit consisting of the commercial information owned by Electric Power Research Institute, Inc. (“EPRI”) identified above (the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

EPRI desires to disclose the Report in confidence due to a meeting that is scheduled with the NRC on December 20, 2007 to discuss high frequency. 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 (650) 855-2329. Questions on the content of the Report should be directed to Robert Kassawara of EPRI at (650) 855-2775.

Sincerely,

ELECTRIC POWER RESEARCH INSTITUTE, INC.

  
Rosa L. Yang  
Director, Materials and Chemistry

## AFFIDAVIT

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

Seismic Screening of Components Sensitive to High-Frequency  
Vibratory Motions – TR-1015109

I, ROSA L. YANG, being duly sworn, depose and state as follows:

I am the Director, Materials and Chemistry 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 3420 Hillview Avenue, Palo Alto, California being the premises and place of business of Electric Power Research Institute, Inc.

December 11, 2007

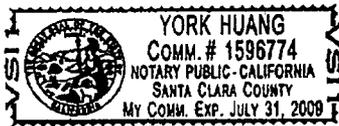
Rosa L. Yang

Subscribed and sworn before me this day:

York Huang, Notary Public

STATE OF CALIFORNIA            )  
  ) SS.  
COUNTY OF SANTA CLARA    )

Subscribed and sworn to (or affirmed) before me this 11 day of December, 2007, by Rosa L. Yang, personally known to me or proved to me on the basis of satisfactory evidence to be the person who appeared before me.



York Huang  
(York Huang) Notary Public

DESCRIPTION OF ATTACHED DOCUMENT

AFFIDAVIT  
TITLE OR TYPE OF DOCUMENT