June 2, 2009

Mr. Christopher M. Crane
President and Chief Nuclear Officer
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: ELECTRIC POWER RESEARCH INSTITIUTE – REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Crane:

By letter dated February 19, 2009, Electric Power Research Institute (EPRI), submitted an affidavit dated February 17, 2009, executed by Mr. Christian B. Larsen Vice President and the Chief Nuclear Officer of Electric Power Research Institute, Inc., 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:

> "BWRVIP-199: BWR Vessel and Internals Project, Testing and Evaluation of the Monticello 3000 Capsule," EPRI Technical Report 1016567, December 2008.

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

(i) The information sought to be withheld from public disclosure is owned and has been held in confidence by EPRI.

(ii) The information is of a type customarily held in confidence by EPRI and not customarily disclosed to the public.

(iii) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.390, it is to be received in confidence by the Commission.

(iv) The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of our knowledge and belief.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-1478.

Sincerely,

/RA/

Ram Subbaratnam, Project Manager
Special Projects Branch
Division of Policy and Rule Making
Office of Nuclear Reactor Regulation

Project: 704

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