



September 19, 2011

SBK-L-11190
Docket No. 50-443

U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville, MD 20852

Seabrook Station

Supplement to Request for Closed Meeting to Discuss Proprietary Test

Reference: Seabrook Letter SBK-L-11176 to NRC, "Request for Closed Meeting to Discuss Proprietary Tests," dated September 13, 2011.

On September 13, 2011, NextEra Energy Seabrook, LLC (NextEra), submitted a letter to the NRC requesting a closed meeting to discuss erosion testing in support of resolution of GSI-191 issues at Seabrook Station. The letter included slides proprietary to Alion Science & Technology (Alion), NextEra's contractor for conducting the testing along with the affidavit requesting withholding from public disclosure in accordance with 10CFR2.390, Public Inspections, Exemptions, Requests for Withholding, due to the proprietary nature of the material attached.

The attachment to this letter is a supplement to the request for the closed meeting and includes the portioned and redacted versions of Alion's proprietary material and the accompanying affidavit requesting withholding in accordance with 10CFR2.390.

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NAR

U.S. Nuclear Regulatory Commission

SBK-L-11190

If you have any questions regarding this submittal, please contact me at (603) 773-7745.

Sincerely,

NextEra Energy Seabrook, LLC


Michael D. O'Keefe
Licensing Manager

Attachments:

cc: W.M. Dean, NRC Region I Administrator
G. E. Miller, NRC Project Manager, Project Directorate I-2
W. J. Raymond, NRC Resident Inspector

Attachment to SBK-L-11190

**Summary of High Velocity Erosion Testing Results
ALION-PP-SEA-8142-03
[Portioned Version]***

**Summary of High Velocity Erosion Testing Results
ALION-PP-SEA-8142-03
[Redacted Version]**

**Affidavit of Jon W. Neuhoff
Division Manager, Nuclear Services
Alion Science & Technology**

*** Brackets [] outside the title of a slide in the portioned version of the material denote that the entire contents of the slide is to be redacted.**



AFFIDAVIT

I, Jon W. Neuhoff, state as follows:

- (1) I am Division Manager, Nuclear Services, ALION Science & Technology ("Alion") and have been delegated the function of reviewing the information described in paragraph (2) which is sought to be withheld, and have been authorized to apply for its withholding.
- (2) The information sought to be withheld is contained in ALION Science & Technology presentation, "Summary of High Velocity Erosion Testing Results, ALION-PP-SEA-8142-03" dated September 6, 2011. A portioned version of the presentation denoting the proprietary information is being provided. Additionally, a redacted version of the presentation withholding the proprietary information is being provided.
- (3) In making this application for withholding of proprietary information of which it is the owner, Alion relies upon the exemption from disclosure set forth in the Freedom of Information Act ("FOIA"), 5 USC Sec. 552(b)(4), and the Trade Secrets Act, 18 USC Sec. 1905, and NRC regulations 10 CFR 9.17(a)(4), and 2.390(a)(4) for "trade secrets" (Exemption 4). The material for which exemption from disclosure is here sought also qualify under the narrower definition of "trade secret", within the meanings assigned to those terms for purposes of FOIA Exemption 4 in, respectively, Critical Mass Energy Project v. Nuclear Regulatory Commission, 975F2d871 (DC Cir. 1992), and Public Citizen Health Research Group v. FDA, 704F2d1280 (DC Cir. 1983).
- (4) Some examples of categories of information which fit into the definition of proprietary information are:
 - a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by Alion's competitors without license from Alion constitutes a competitive economic advantage over other companies;
 - b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;
 - c. Information which reveals aspects of past, present, or future Alion customer-funded development plans and programs, resulting in potential products to Alion;
 - d. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

The information sought to be withheld is considered to be proprietary for the reasons set forth in paragraphs (4) a, and (4) b, above.



- (5) To address 10 CFR 2.390 (b) (4), the information sought to be withheld is being submitted to NRC in confidence. The information is of a sort customarily held in confidence by Alion, and is in fact so held. The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by Alion, no public disclosure has been made, and it is not available in public sources. All disclosures to third parties including any required transmittals to NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence. Its initial designation as proprietary information, and the subsequent steps taken to prevent its unauthorized disclosure, are as set forth in paragraphs (6) and (7) following.
- (6) Initial approval of proprietary treatment of a document is made by the manager of the originating component, the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge. Access to such documents within Alion is limited on a "need to know" basis.
- (7) The procedure for approval of external release of such a document typically requires review by the staff manager, project manager, principal scientist or other equivalent authority, by the manager of the cognizant marketing function (or his delegate), and by the Legal Operation, for technical content, competitive effect, and determination of the accuracy of the proprietary designation. Disclosures outside Alion are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary agreements.
- (8) The document identified in paragraph (2), above, is classified as proprietary because it contains "know-how" and "unique data" developed by Alion within our research and development programs. The development of this document, supporting methods and data constitutes a major Alion asset in this current market.
- (9) Public disclosure of the information sought to be withheld is likely to cause substantial harm to Alion's competitive position and foreclose or reduce the availability of profit-making opportunities. The information is part of Alion's comprehensive BWR/PWR GSI-191 analysis base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and experimental methodology and includes development of the expertise to determine and apply the appropriate evaluation process.

The research, development, engineering, analytical and experimental costs comprise a substantial investment of time and money by Alion.

The precise value of the expertise to devise an evaluation process and apply the correct analytical methodology is difficult to quantify, but it clearly is substantial.



Alion's competitive advantage will be lost if its competitors are able to use the results of the Alion experience to normalize or verify their own process or if they are able to claim an equivalent understanding by demonstrating that they can arrive at the same or similar conclusions.

The value of this information to Alion would be lost if the information were disclosed to the public. Making such information available to competitors without their having been required to undertake a similar expenditure of resources would unfairly provide competitors with a windfall, and deprive Alion of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment in developing these very valuable analytical tools.

I declare under penalty of perjury that the foregoing affidavit and the matters stated therein are true and correct to the best of my knowledge, information, and belief.

Executed on this 14th day of September 2011.

A handwritten signature in cursive script, reading 'Jon W. Neuhoff', written over a horizontal line.

Jon W. Neuhoff
Division Manager, Nuclear Services
ALION Science & Technology

Redacted Version

Aligned with your needs.

Summary of High Velocity Erosion Testing Results, *ALION-PP-SEA-8142-03*



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Updated: 9/6/2011

Proprietary Information – Withhold from Public Disclosure IAW 10 CFR 2.390



High Velocity and Low Velocity Tests

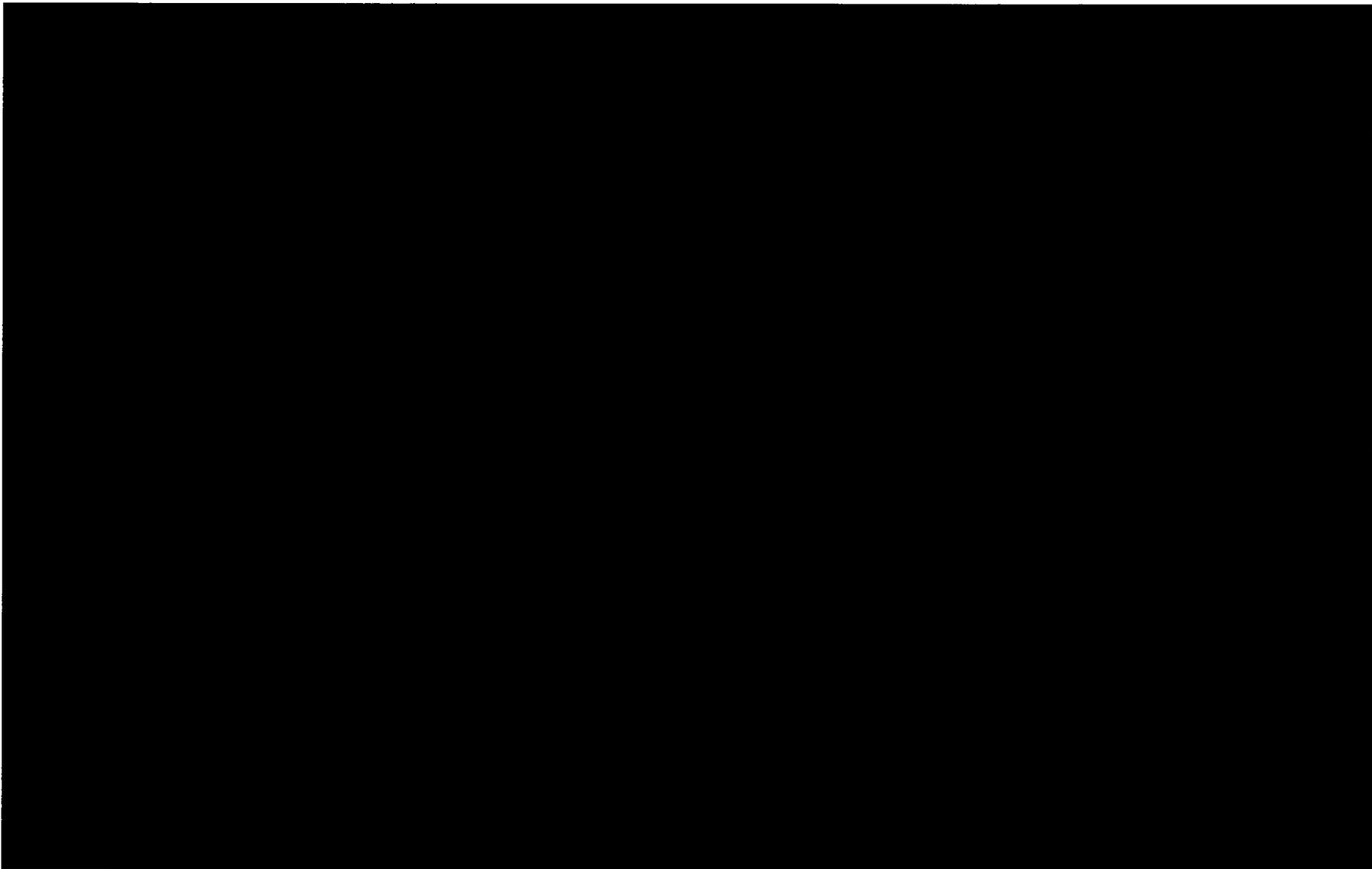
- Same test facilities and staff were used for both the high velocity and low velocity testing.
- Test protocol used for the high velocity testing was consistent with protocol used for low velocity testing.
- Only significant differences in testing were:

Parameter	Low Velocity Tests	High Velocity Tests
Target Flow Velocity		
Actual Flow Rate		
Pre-filter Mesh Size	25 micron	1000 micron
Confirmatory Post-Test	Run	Not Run

- All other test conditions (for example, running a pre-test, use of c-channel turbulence enhancers, configuration of flow straightener, and positioning of sample racks) were the same in both test series.

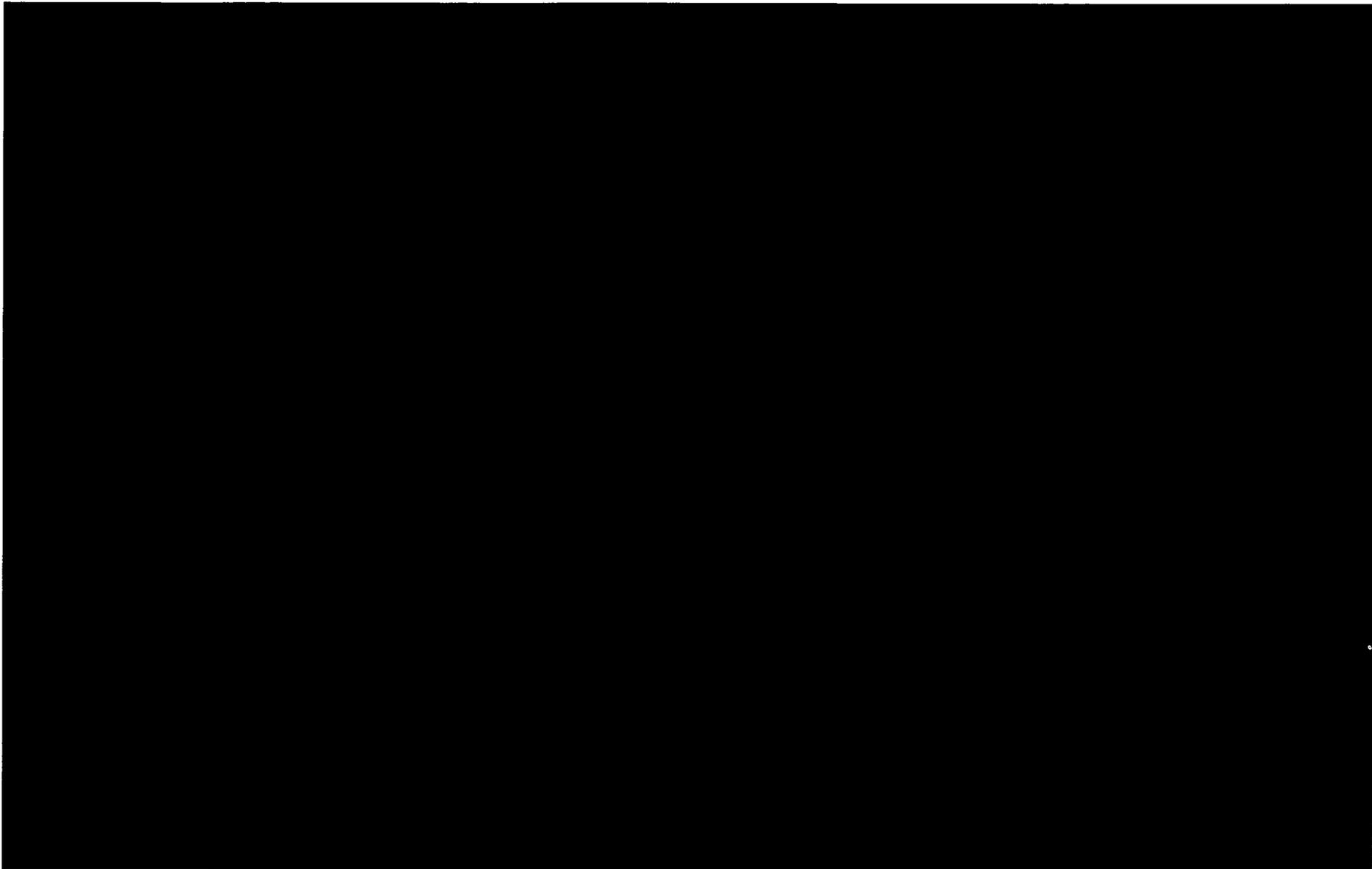


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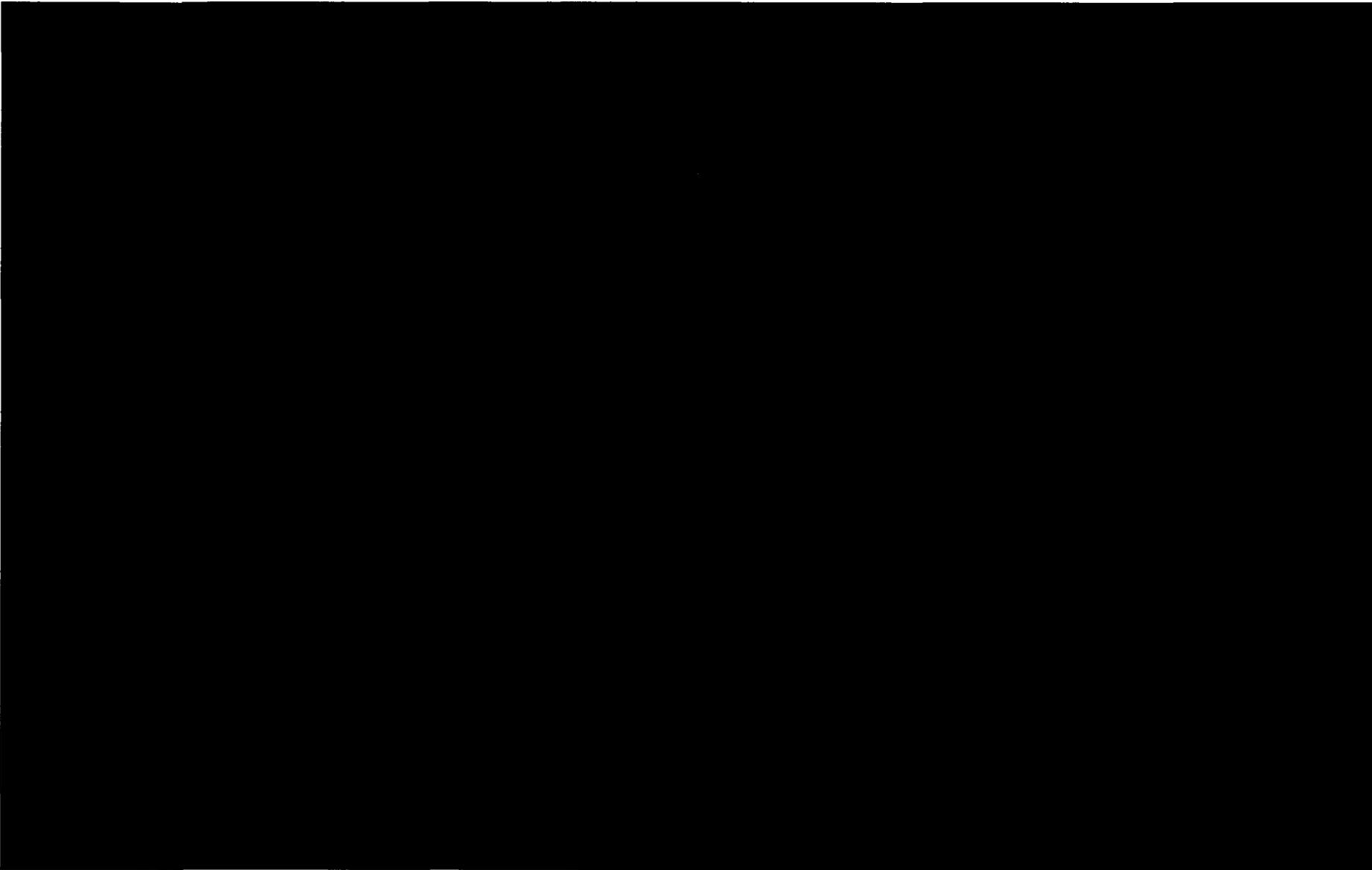


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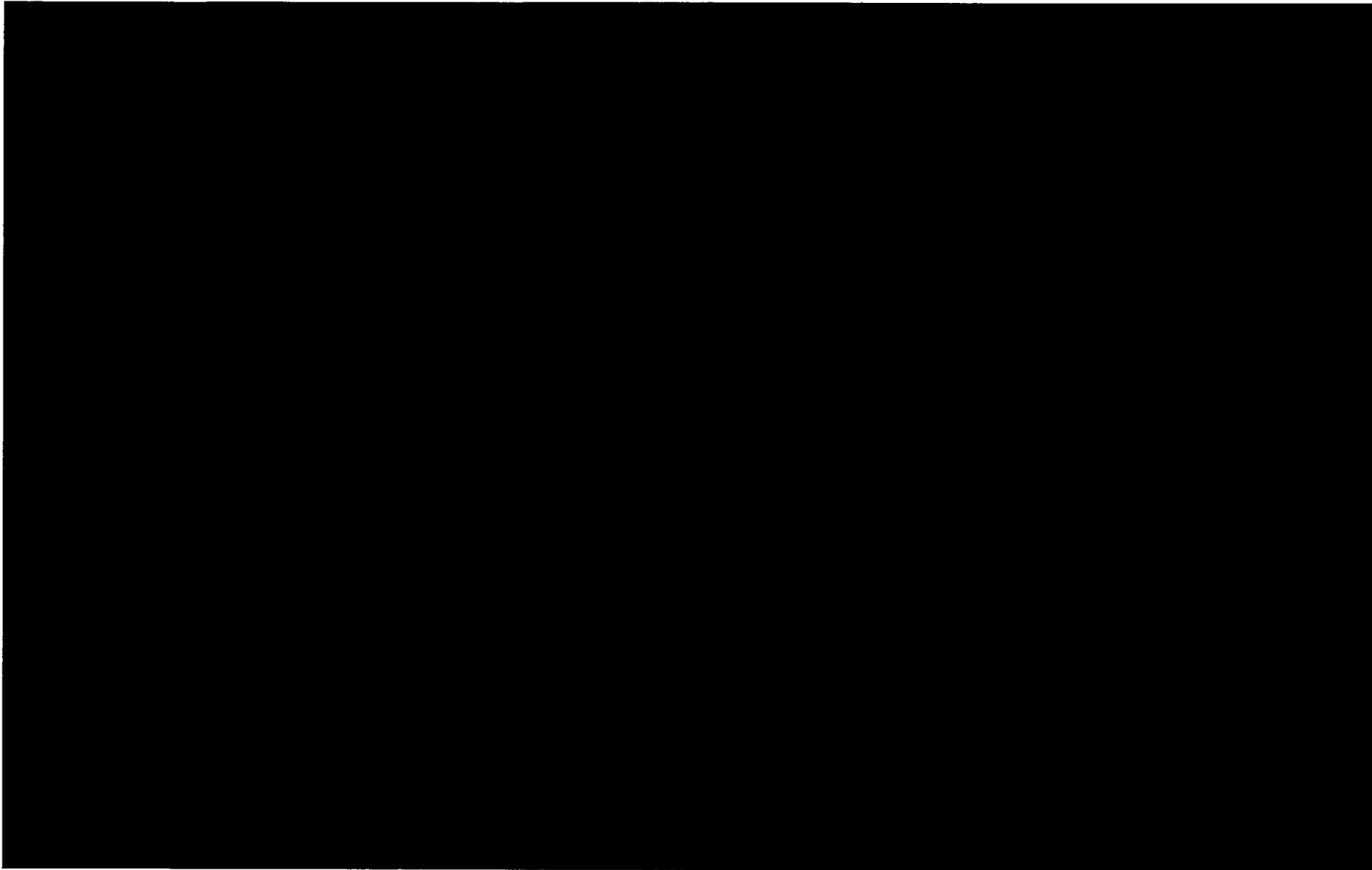


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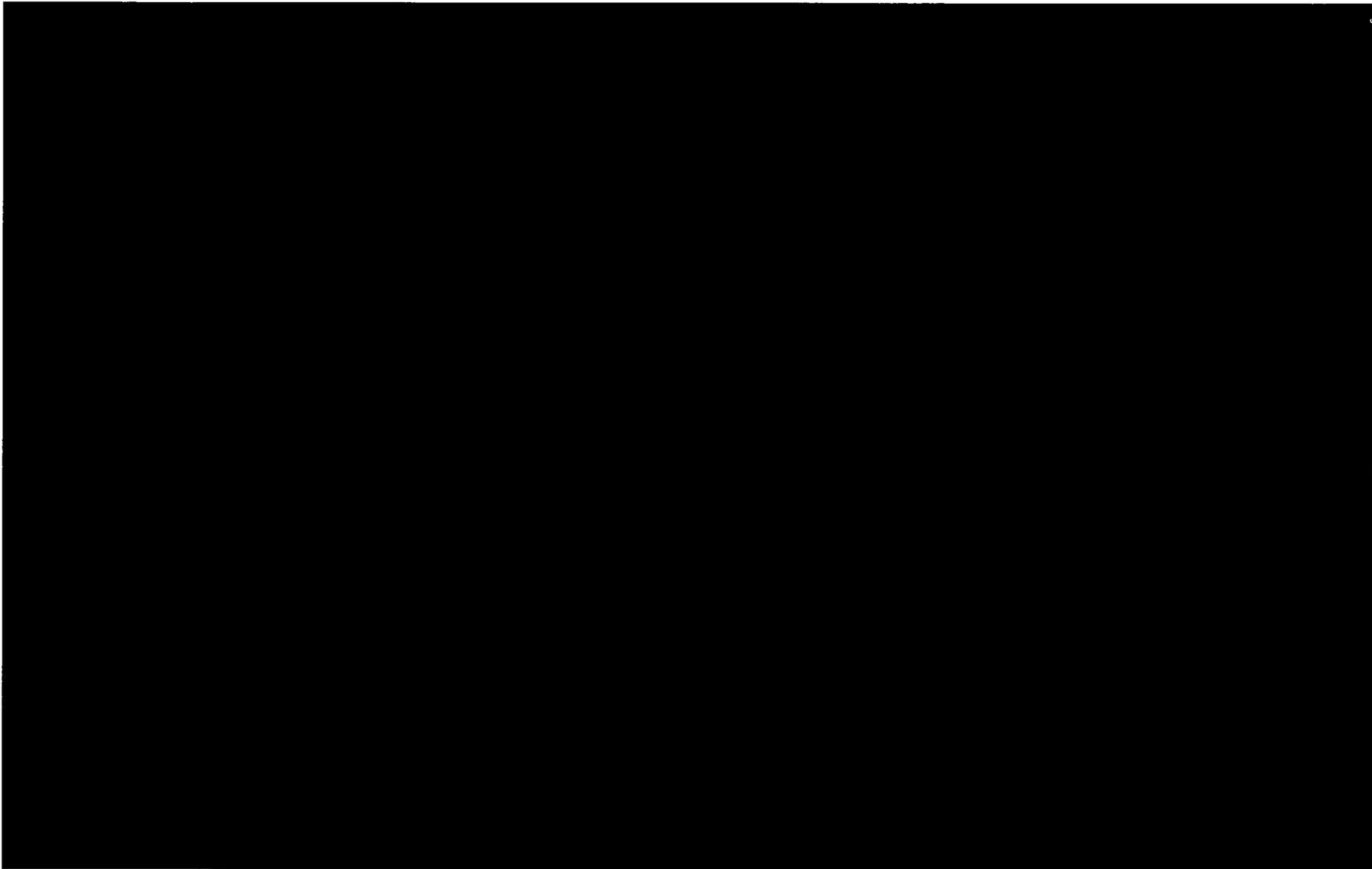


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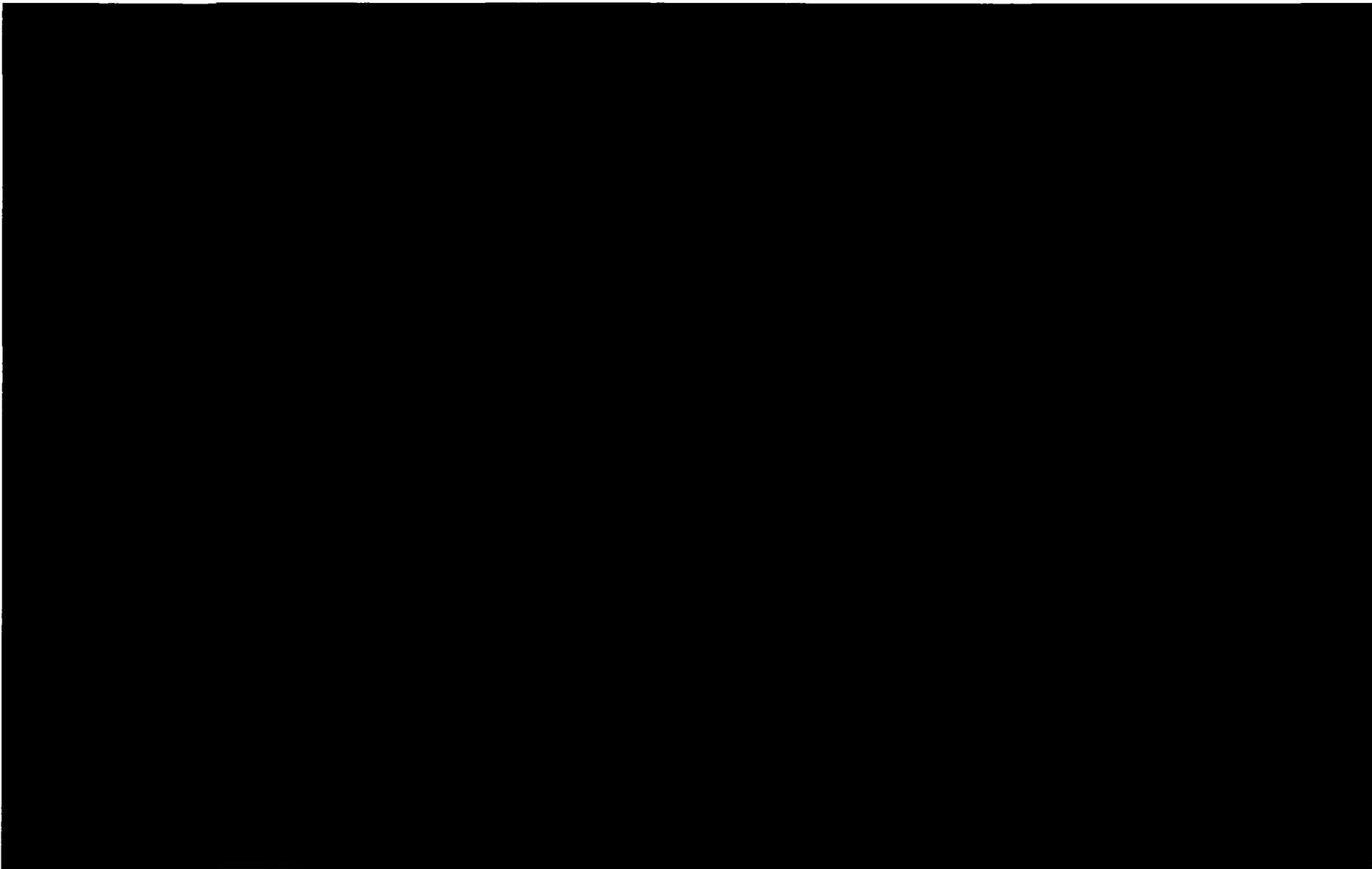


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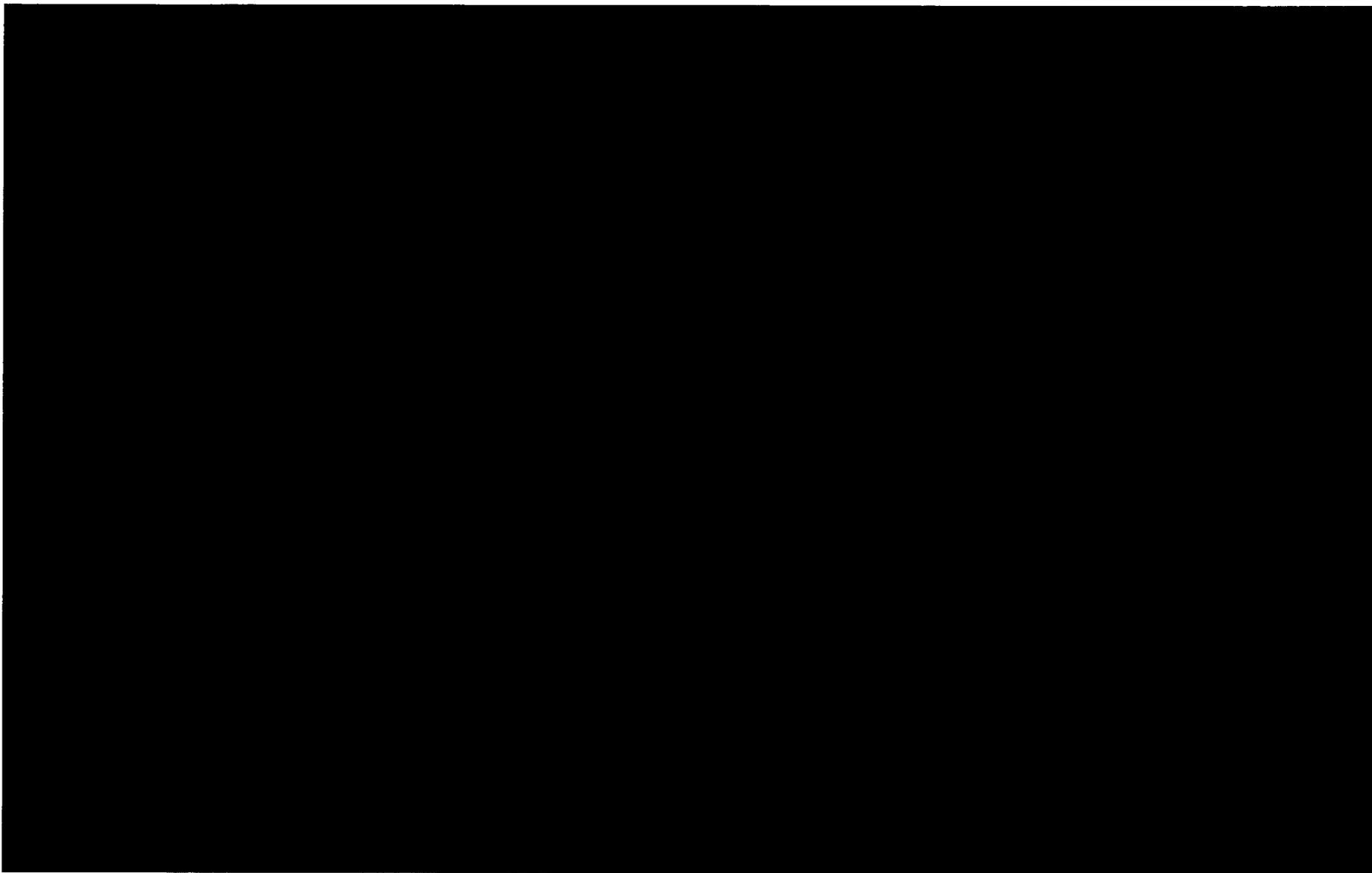


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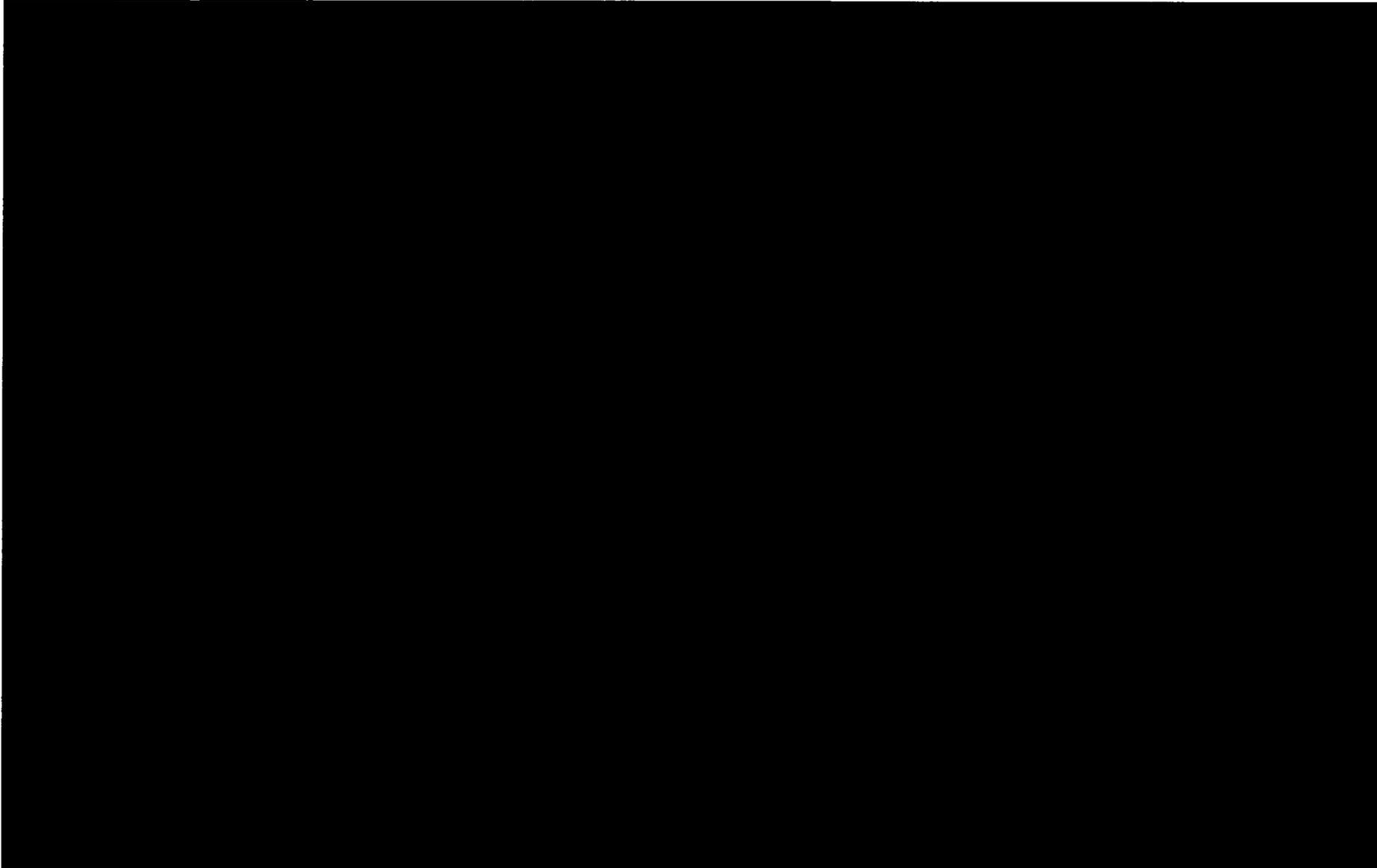


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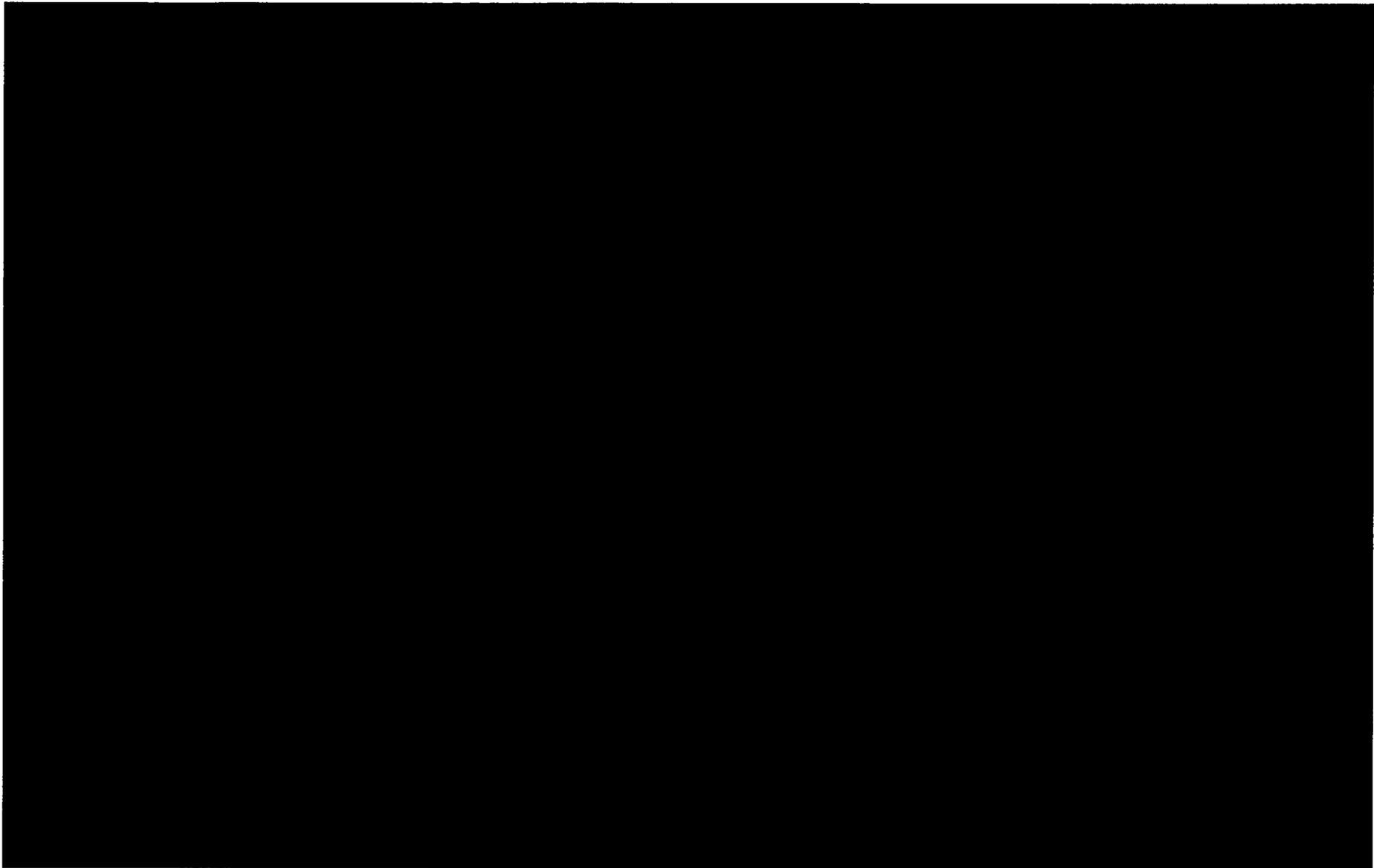


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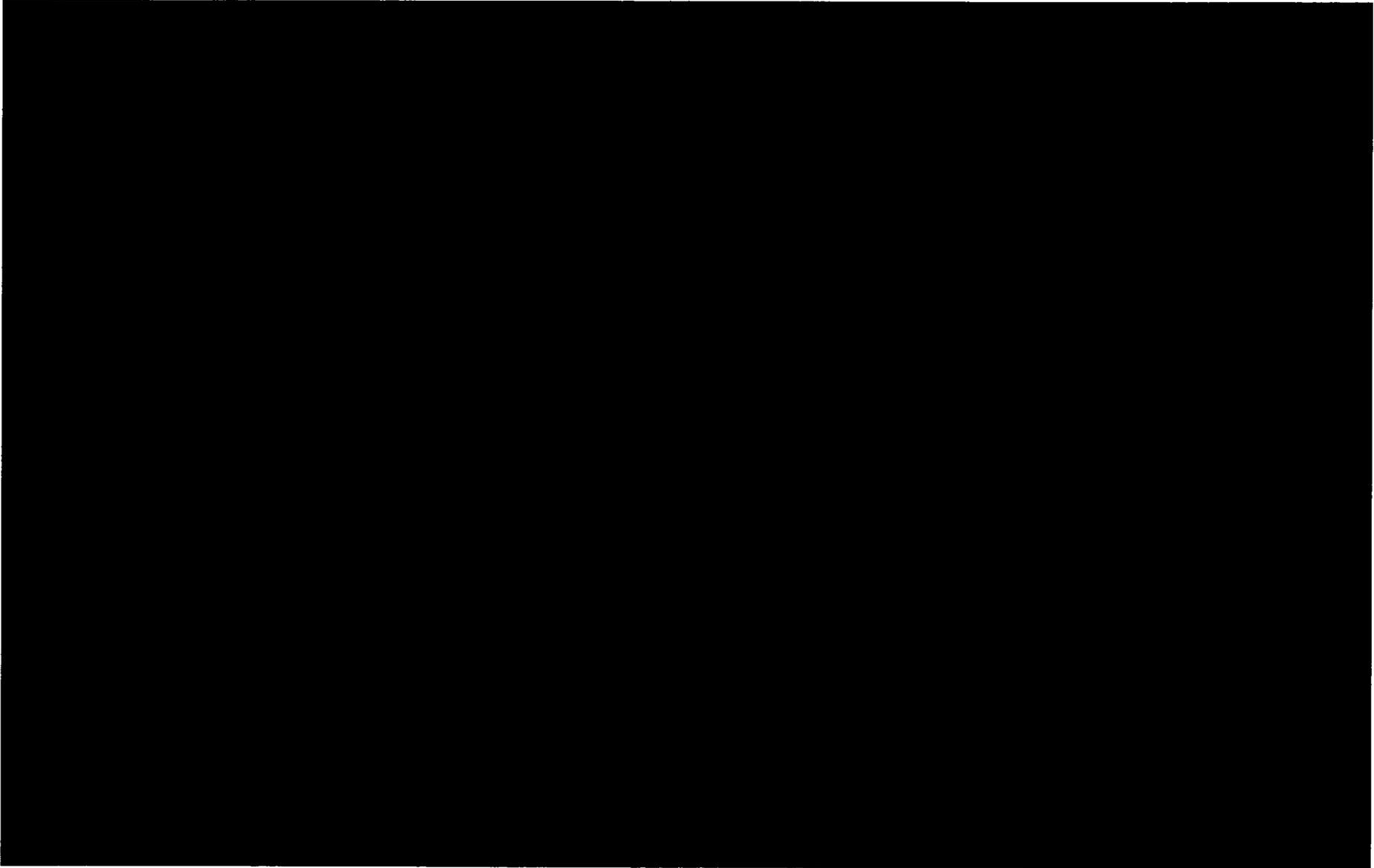


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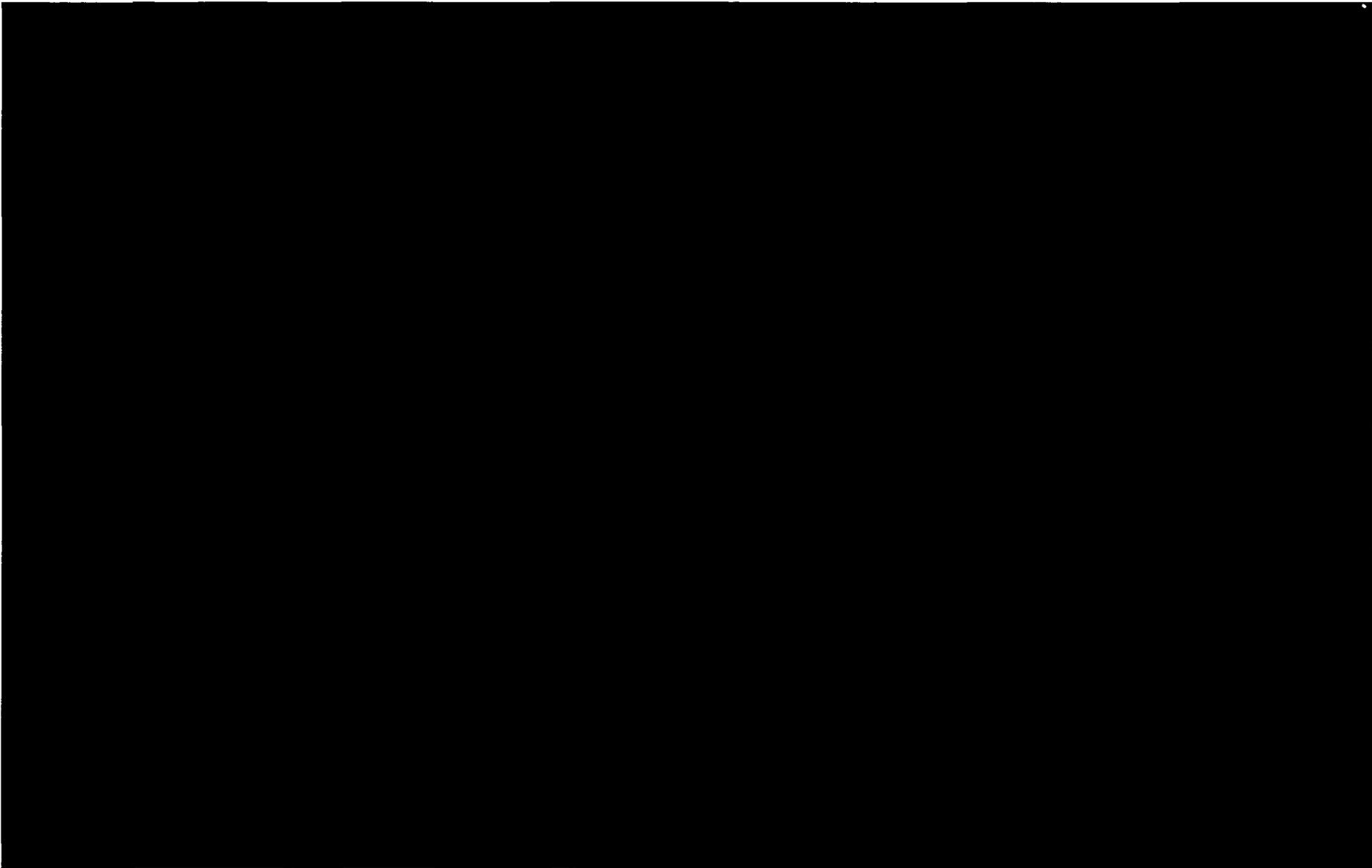


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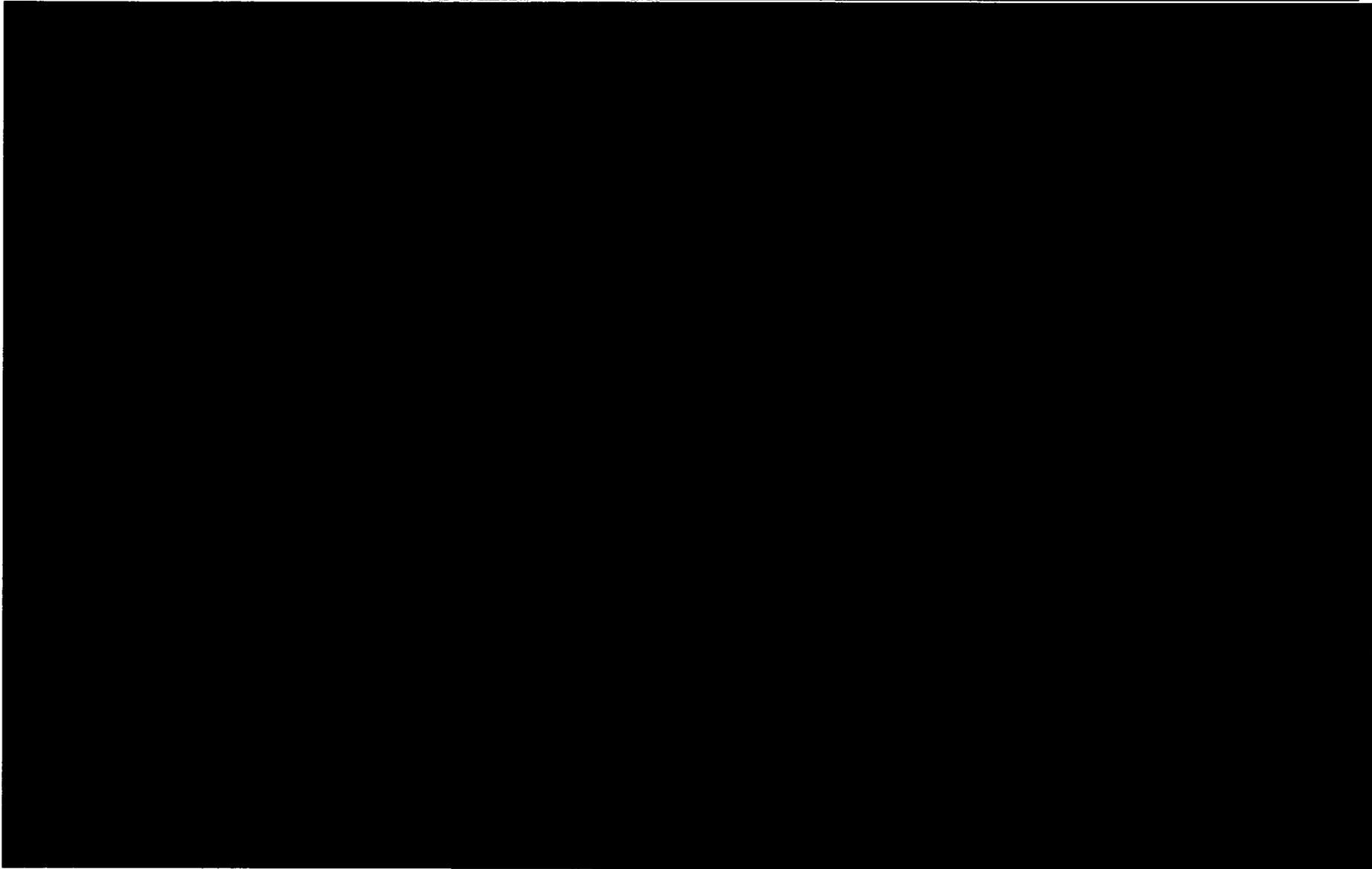


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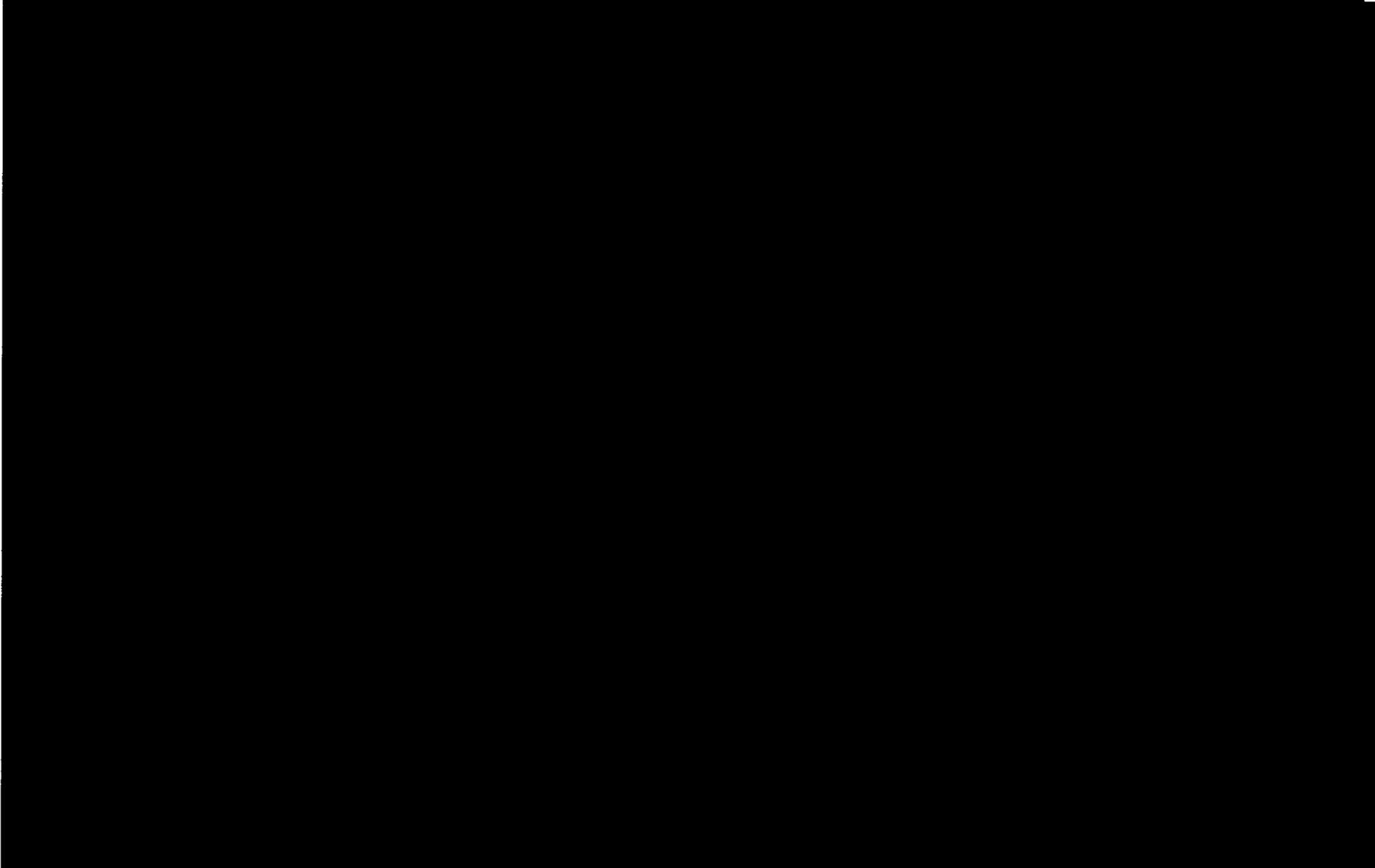


Aligned with your needs.





Aligned with your needs.





Aligned with your needs.

Summary of erosion testing results

Test	Control Group Dissolution	Sample Group Boiling Weight Loss	Sample Group Drying Weight Loss	Sample Group Flow Weight Loss	Total Sample Group Weight Loss Erosion Fraction	Cumulative Filter Capture Erosion Fraction
Low Velocity 30-Day Primary Test	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Low Velocity 13-Day Post-Test	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
High Velocity 30-Day Primary Test	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]



Summary

- Protocol for low velocity tests and high velocity tests was consistent. Only differences were 1) the target flow velocity, 2) larger mesh pre-filter and 3) not running a post-test for the high velocity test series. All other test conditions (for example, running a pre-test, use of c-channel turbulence enhancers, configuration of flow straightener, and positioning of sample racks) were the same in both test series.

- [Redacted]

- [Redacted]

- [Redacted]



Aligned with your needs.

Conclusion

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