

October 4, 2011

Mr. David Czufin
Exelon
Chairman, BWR Vessel and Internals Project
Electric Power Research Institute
3420 Hillview Avenue
Palo Alto, CA 94304-1395

SUBJECT: BOILING WATER REACTOR VESSEL AND INTERNALS PROJECT, REQUEST
FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. ME5553)

Dear Mr. Czufin:

By letter dated September 8, 2011 (Agencywide Access and Management System (ADAMS) Accession No. ML1112550598), the Boiling Water Reactor Vessel and Internals Project (BWRVIP) submitted an affidavit dated September 6, 2011, executed by James A. Gresham, Westinghouse Electric Company, Manager, Regulatory Compliance, 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:

LTR-A&SA-1147-P, Responses to NRC Request for Additional Information on
BWRVIP-194: BWR Vessel and Internals Project Methodologies for Demonstrating
Steam Dryer Integrity for Power Uprate (Proprietary)

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 NRC Library in ADAMS.

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

- (a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.) the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- (c) Its use 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 a similar product.
- (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded

development plans and programs of potential commercial value to Westinghouse.

- (f) It contains patentable ideas, for which patent protection may be desirable.

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(s) 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 301-415-8480.

Sincerely,

/RA/

Andrew L. Hon, Project Manager
Licensing Process Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Project No. 704

cc: Mailing Lists

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Andrew L. Hon, Project Manager
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cc: Mailing List

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BWRVIP
cc:

Project No. 704

Randy Stark, EPRI BWRVIP
Integration Manager
Raj Pathania, EPRI BWRVIP
Mitigation Manager
Ken Wolfe, EPRI BWRVIP
Repair Manager
Larry Steinert, EPRI BWRVIP
Electric Power Research Institute
3420 Hillview Ave.
Palo Alto, CA 94304
rstark@epri.com,
rpathani@epri.com,
kwolfe@epri.com,
ldsteine@contractor.epri.com

Randy Schmidt, Technical Chairman
BWRVIP Assessment Committee
PSEG Nuclear
P. O. Box 236 (M/S H06)
Hancocks Bridge, NJ 08038-0236
randal.schmidt@pseg.com

Dennis Rickertsen, Technical Chairman
BWRVIP Mitigation Committee
Southern Nuclear Operating Company
P. O. Box 1295 (M/S B234)
Birmingham, AL 35201-1295
ddricker@southernco.com

Paul J. Davison, Executive Chairman
BWRVIP Assessment Committee
PSEG Nuclear, LLC
Salem/Hope Creek Nuclear Station
11 Yubas Ave.
Burlington, NJ 08016
paul.davison@pseg.com

Denver Atwood, Chairman
BWRVIP Repair Focus Group
Southern Nuclear Operating Co.
Post Office Box 1295
40 Inverness Center Parkway
(M/S B031)
Birmingham, AL 35242-4809
[dgatwood@southernco.com](mailto:dगतwood@southernco.com)

Rich Ciemiewicz, Chairman
BWRVIP Inspection Focus Group
Exelon Corporation
200 Exelon Way, Suite 210 (M/S KSA 2-N)
Kennett Square, PA 19349
richard.ciemiewicz@exeloncorp.com

Charles J. Wirtz, Technical Chairman
BWRVIP Integration Committee
FirstEnergy Corp.
Perry Nuclear Power Plant
(M/S A250)
10 Center Road
Perry, OH 44081
cjwirtz@firstenergycorp.com

Oscar Limpas,
BWROG Chairman
Entergy Nuclear Operations, Inc.
Echelon One
1340 Echelon Parkway.
Jackson, MS 39213-8202
olimpia@entergy.com

Robert Whalen, Executive Chairman
BWRVIP Mitigation Committee
Tennessee Valley Authority (TVA)
1101 Market Street
Chattanooga, TN 37402-2801
rjwhalen@tva.gov

Robert Carter, EPRI BWRVIP
Assessment Manager
Jeff Landrum, EPRI BWRVIP
Inspection Manager
EPRI NDE Center
P.O. Box 217097
1300 W. T. Harris Blvd.
Charlotte, NC 28221
bcarter@epri.com
jlandrum@epri.com

Dennis Madison
BWRVIP Vice Chairman
Site Vice President
Southern Nuclear Operating Co.
Edwin I. Hatch Nuclear Plant
11028 Hatch Parkway N
Baxley, GA 31515-2010
drmadiso@southernco.com

Westinghouse Electric
cc:

Project No. 700

W. Anthony Nowinowski, Manager
Owners Group Program Management Office
Westinghouse Electric Company
1000 Westinhouse Drive
Cranberry Township, PA 16066
nowinowa@westinghouse.com

Mr. James A. Gresham, Manager
Regulatory Compliance and Plant Licensing
Westinghouse Electric Company
1000 Westinghouse Drive
Cranberry Township, PA 16066
greshaja@westinghouse.com