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Vice President, Nuclear

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November 16, 2012
L-12-399

ATTN: Document Control Desk
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT:

Davis-Besse Nuclear Power Station, Unit No. 1
Docket No. 50-346, License Number NPF-3
Submittal of Contractor Root Cause Assessment Report (Proprietary Version)
(TAC No. S00301)

By letter dated May 14, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12138A037), FirstEnergy Nuclear Operating Company (FENOC) provided a nonproprietary (redacted) version of a contractor root cause assessment report, "Root Cause Assessment Davis-Besse Shield Building Laminar Cracking," developed by Performance Improvement International (PII). Following the September 19, 2012, meeting with the Advisory Committee on Reactor Safeguards License Renewal Subcommittee regarding the Davis-Besse License Renewal Application, a member of the committee requested that FENOC provide a proprietary (non-redacted) version of the PII report.

Enclosure B provides a proprietary version of the PII report, "Root Cause Assessment Davis-Besse Shield Building Laminar Cracking." The PII report contains proprietary information that is to be withheld from public disclosure pursuant to 10 CFR 2.390. The report also contains personally identifiable information that is to be withheld from public disclosure pursuant to 10 CFR 2.390. Enclosure A provides the PII affidavit to support the disclosure request for the proprietary assessment report.

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Davis-Besse Nuclear Power Station, Unit No. 1
L-12-399
Page 2

There are no regulatory commitments contained in this letter. If there are any questions or if additional information is required, please contact Mr. Clifford I. Custer, Fleet License Renewal Project Manager, at 724-682-7139.

Sincerely,



Raymond A. Lieb

Enclosure:

- A. Affidavit for Performance Improvement International Report, "Root Cause Assessment Davis-Besse Shield Building Laminar Cracking"
- B. Performance Improvement International Report, "Root Cause Assessment Davis-Besse Shield Building Laminar Cracking" (Proprietary)

cc: w/o Enclosures
NRC DLR Project Manager
NRC Region III Administrator
NRC DLR Director
NRR DORL Project Manager
NRC Resident Inspector
Utility Radiological Safety Board

Enclosure A

Davis-Besse Nuclear Power Station, Unit No. 1 (Davis-Besse)

Letter L-12-399

Affidavit for

Performance Improvement International Report,

“Root Cause Assessment Davis-Besse Shield Building Laminar Cracking”

3 pages follow

AFFIDAVIT

State of California)
) ss.
County of San Diego)

1. My name is Chong Chiu. I am the Founder of Performance Improvement International, LLC (PII) and as such I am authorized to execute this Affidavit
2. I am familiar with the criteria applied by PII to determine whether certain PII information is proprietary and confidential. I am familiar with the policies established by PII to ensure the proper application of these criteria.
3. I am familiar with the PII information contained in "Root Cause Assessment Davis-Besse Shield Building Laminar Cracking", dated April 18, 2012, and referred to herein as "Document." Information contained in this Document has been classified by PII as proprietary and confidential in accordance with the policies established by PII for the control and protection of proprietary and confidential information.
4. This Document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by PII and not made available to the public. Based upon my experience, I am aware that other companies regard information of the kind contained in this Document as proprietary and confidential.
5. This Document has been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in this Document be withheld from public disclosure. The request for withholding of proprietary and confidential information is made in accordance with 10 CFR 2.390. The information for which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information":
6. The following criteria are customarily applied by PII to determine whether information should be classified as proprietary and confidential:

- (a) The information reveals details of PII's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resource, to design, produce, or market a similar product or service.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for PII
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for PII in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by PII, would be helpful to competitors to PII, and would likely cause substantial harm to the competitive position of PII.

The information in the Document is considered proprietary and confidential for the reasons set forth in paragraphs 6(a) through 6(e) above.

7. In accordance with PII's policies governing the protection and control of information, proprietary and confidential information contained in this Document have been made available, on a limited basis, to others outside PII only as required and under suitable agreement providing for nondisclosure and limited use of the information.

8. PII policy requires that proprietary and confidential information be kept in a secured file or area and distributed on a need-to-know basis.

9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Subscribed before me this 10
day of November 2012

State of Utah County of Summit
Subscribed and sworn before me on 11.10.12
(Date)
[Signature]
(Notary Signature)

[Signature]

