

**NEIL WILMSHURST**  
Vice President and  
Chief Nuclear Officer

March 28, 2013

Attention: Bennett Brady  
Document Control Desk  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Subject: Request for Withholding of the Following Nine Commercial Documents:

- *Assessment of Needs for Concrete Research in the Energy Industry.* EPRI, Palo Alto, CA: 2010. 1022373.
- *Nuclear Concrete Structures Aging Reference Manual.* EPRI, Palo Alto, CA: 2010. 1023035.
- *Concrete Civil Infrastructure in United States Commercial Nuclear Power Plants.* EPRI, Palo Alto, CA: 2010. 1020932.
- *Non Destructive Evaluation Inspection of Concrete Structures Subjected to Corrosion.* EPRI, Palo Alto, CA: 2010. 1025627.
- *Effects of Radiation in Concrete.* EPRI, Palo Alto, CA: 2010. 1025584.
- *Boric Acid Attack of Concrete and Reinforcing Steel in PWR Fuel Handling Buildings.* EPRI, Palo Alto, CA: 2010. 1025166.
- *Embedded Sensors in Concrete.* EPRI, Palo Alto, CA: 2010. 1023006.
- *Quality Control of Concrete during Construction – Voids Detection.* EPRI, Palo Alto, CA: 2010. 1025300.
- *Nonlinear Ultrasound to Evaluate the Integrity of Thermally Damaged Concrete.* EPRI, Palo Alto, CA: 2010. 1026501.

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 "Reports"). Copies of the Reports and the Affidavit in support of this request are enclosed.

EPRI desires to disclose these Reports in confidence per NRC request for background information to facilitate on-going discussions on research efforts expected to support potential subsequent license renewal submittals. These Reports are not to be divulged to anyone outside of the NRC nor shall any copies be made of the Reports provided herein. EPRI welcomes any discussions and/or questions relating

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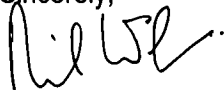
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to the information enclosed. The above named reports shall be provided as electronic files (.pdf) on a CD to be shipped to the Document Control Desk by the EPRI Software Center.

If you have any questions about the legal aspects of this request for withholding, please do not hesitate to contact me at (704) 595-2732. Questions on the contents of the Reports should be directed to Mr. Richard Tilley of EPRI at (704) 595-2597 who will act as point of contact in routing questions to the appropriate EPRI Project Manager for the specific report in question.

Sincerely,



Attachment(s)

c: Sheldon Stuchell, NRC (sheldon.stuchell@nrc.gov)

## AFFIDAVIT

RE: Request for Withholding of the Following Commercial Documents:

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I am the Vice President and Chief Nuclear Officer at 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 Reports 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 Reports and, by prohibiting public disclosure, EPRI derives an economic benefit in the form of fees charged for the sale of the Reports. The Reports are entitled to the protection of the United States copyright laws. If the Reports were 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 Reports for their own commercial benefit and profit and without expending the substantial economic resources required of EPRI to develop the Reports.

c. EPRI made a substantial investment of both money and employee hours over an extended period of time in the development of the Reports. As a result of such effort and cost, both in terms of dollars spent and dedicated employee time, the Reports are highly valuable to EPRI.

d. A public disclosure of the Reports would be highly likely to cause substantial harm to EPRI's competitive position and the ability of EPRI to sell the Reports both domestically and internationally. If a party does not purchase the Reports 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 1300 W WT Harris Blvd being the premises and place of business of Electric Power Research Institute, Inc.

Date: 3-28-2013  
Neil Wilmshurst  
Neil Wilmshurst

(State of North Carolina)  
(County of Mecklenburg)

Subscribed and sworn to (or affirmed) before me on this 28<sup>th</sup> day of March, 2013 by Neil Wilmshurst, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Judy J. Brown (Seal)

My Commission Expires 17<sup>th</sup> day of October, 2014