



babcock & wilcox mPower

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May 23, 2013

MPWR-LTR-13-00029

U.S. Nuclear Regulatory Commission (NRC)
ATTN: Document Control Desk
11555 Rockville Pike
Rockville, MD 20852-2738

Babcock & Wilcox mPower, Inc.
Docket Number-PROJ0776
Project Number-776

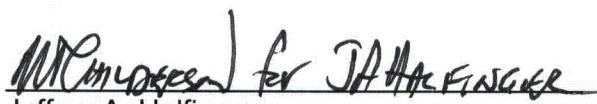
Subject: Meeting to Discuss B&W mPower™ Reactor Physical Security Topical Report

A closed meeting is scheduled for May 28, 2013, between B&W mPower, Generation mPower representatives, and NRC staff in Rockville, Maryland, to discuss a planned B&W mPower Reactor physical security topical report.

This letter provides the slides to be discussed during the subject meeting. Based on the subject matter, a portion of this material contains Confidential Commercial Information (CCI).

Enclosure 1 is a signed affidavit in support of withholding the CCI from public disclosure. Enclosure 2 is the version of the slides with CCI marked by brackets. We request that this version be withheld from public disclosure in accordance with the provisions of 10 CFR 2.390. Enclosure 3 is a redacted version of the slides that can be released to the public.

Any questions concerning this submittal may be directed to Jeff Halfinger at 434-316-7507 (jahalfinger@babcock.com) or Peter Hastings at 980-365-2071 (pshastings@generationmpower.com).


Jeffrey A. Halfinger

VP, NSSS Technology
B&W mPower

JAH/lms

Enclosures: 1. Affidavit
2. Physical Security Topical Report Slides (CCI)
3. Physical Security Topical Report Slides (Redacted)

cc: Joelle L. Starefos, NRC, TWFN 9-F-27
Stewart L. Magruder, Jr., NRC, TWFN 9-F-27
Peter Hastings, GmP

Enclosure 1
AFFIDAVIT of Michael T. Childerson

Enclosure 1

AFFIDAVIT OF Michael T. Childerson

STATE OF VIRGINIA

CITY OF LYNCHBURG

I, Michael T. Childerson, being duly sworn, do hereby depose and say:

1. I am a citizen of the United States of America. I am a resident of Forest, Virginia. My birth date is January 17, 1958.

2. I am the Manager, Nuclear Island Engineering, Babcock & Wilcox mPower (B&W mPower) NSSS Technology, located in Lynchburg, Virginia.

I have held this position since March 16, 2009. I have personal knowledge of the facts set forth in this affidavit, and if called and sworn as a witness in a deposition or before any court, I could and would testify competently under oath to these facts.

3. B&W mPower requests that the NRC withhold from public disclosure the information marked as "B&W Confidential Commercial Information" regarding certain design information being submitted to the NRC by the B&W mPower letter number MPWR-LTR-13-00029. This information is included in an enclosure to that letter.

4. I have personal knowledge of the criteria and procedures used by B&W mPower in designating confidential commercial or financial information as proprietary and have been delegated the function to review the information to identify proprietary information and authorized to apply for its withholding. The need for confidentiality is driven by the following:

a) The information requested to be withheld reveals the distinguishing aspects of a unique analysis process whose use by any of B&W mPower's competitors, without a license from the submitter, would constitute a competitive economic disadvantage to B&W mPower.

- b) Use by a competitor of the information requested to be withheld would reduce a competitor's expenditure of resources, or improve its competitive position, in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.
- c) The information requested to be withheld is currently supported by the Department of Energy under award Number DE-NE0000583. All or parts of the information requested to be withheld reveal aspects of privately funded development plans or programs of commercial value to B&W mPower that were developed prior to Department of Energy support.
- d) The information requested to be withheld consists of patentable ideas.

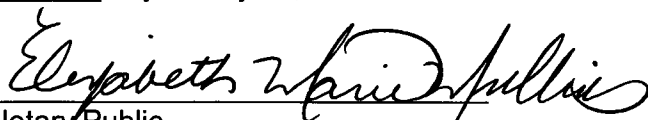
5. Specifically, the information identified in paragraph 3 above, is classified as proprietary because B&W mPower has developed the conceptual and technical approaches regarding details of the strategy to develop security information related to the design of the B&W mPower™ Reactor Facility, associated analysis, and classifications, disclosure of which could adversely affect B&W mPower's competitive position by informing competitors of the degree of maturity and viability of the program, thereby motivating them to increase efforts to develop competing technologies. These analyses of the reactor design were privately funded by B&W mPower and are of commercial value to B&W mPower because of their nature in providing key elements of the B&W mPower™ reactor design analysis. All or parts of the approach described in the withheld material is patentable.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is a true and correct statement of facts.



Michael T. Childerson

Subscribed and sworn to before me this 23 day of May 23, 2013.



Notary Public

My commission expires: 9/30/15

my Notary Registration # is
103141