



Entergy Operations, Inc.  
P.O. Box 756  
Port Gibson, MS 39150

Kevin Mulligan  
Site Vice President  
Grand Gulf Nuclear Station  
Tel. (601) 437-7500

GNRO-2015/00053

August 18, 2015

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

SUBJECT: Affidavits for the Proprietary MP Machinery and Testing, LLC (MPM) reports attached in letters GNRO-2014/00080 and GNRO-2015/00011  
Grand Gulf Nuclear Station, Unit 1  
Docket No. 50-416  
License No. NPF-29

- REFERENCES:
1. U.S. Nuclear Regulatory Commission Letter, "Requests for Additional Information for the Review of the Grand Gulf Nuclear Station, License Renewal Application," dated August 28, 2013 (Accession No. ML13227A394)
  2. Grand Gulf Nuclear Station Letter, "Response to Requests for Additional Information (RAI) set 47," dated September 23, 2013 (Accession No. ML13266A368)
  3. U.S. Nuclear Regulatory Commission Regulatory Guide, Regulatory Guide 1.190, dated March 2001 (Accession No. ML010890301)
  4. Grand Gulf Nuclear Station Letter GNRO-2014/00080, "Application to Revise Grand Gulf Nuclear Station Unit 1's Current Fluence Methodology from 0 EFPY Through the End of Extended Operations to a Single Fluence Method," dated November 21, 2014.
  5. Grand Gulf Nuclear Station Letter GNRO-2015/00011, "Supplement to License Amendment Request Application to Revise Grand Gulf Nuclear Station Unit 1's Current Fluence Methodology from 0 EFPY Through the End of Extended Operations to a Single Fluence Method," dated February 18, 2015.

Dear Sir or Madam:

The Fluence Calculation Methodology License Amendment Request (LAR), reference 4, submitted November 21, 2014, and the Supplement to that LAR, reference 5, submitted February 18, 2015, included Proprietary MP Machinery and Testing, LLC (MPM) reports with the requisite Proprietary Markings, as follows: "THIS REPORT CONTAINS PROPRIETARY INFORMATION THAT IS THE INTELLECTUAL PROPERTY OF MP MACHINERY AND TESTING, LLC. IN ACCORDNACE WITH THE TERMS OF THE MPM/SARGENT & LUNDY

CONTRACT, SARGENT & LUNDY AND ENTERGY MAY USE THE INFORMATION CONTAINED IN THIS REPORT FOR THE PURPOSE OF OPERATING THE GRAND GULF NUCLEAR STATION." However, neither letter included Affidavits for those proprietary reports.

Attachment 1 provides the MPM affidavit for the proprietary reports attached in letter GNRO-2014/00080. Attachment 2 provides the MPM affidavit for the proprietary reports attached in letter GNRO-2015/00011.

Attachments 1 and 2 in the referenced letters (GNRO-2014/00080 and GNRO-2015/00011) contain proprietary information as defined by 10 CFR 2.390. MPM, as the owner of the proprietary information, has executed the attached affidavits, which identifies that the proprietary information attached in the referenced letters has been handled and classified as proprietary, is customarily held in confidence, and has been withheld from public disclosure. The proprietary information was provided to Entergy in an MPM transmittal that is referenced by the affidavits. The proprietary information was faithfully reproduced in the referenced letter attachments such that the affidavits remain applicable. MPM hereby requests that the proprietary information attached in the referenced letters be withheld from public disclosure in accordance with the provisions of 10 CFR 2.390 and 9.17. Attachments 1 and 2 each contain an affidavit which identifies that the information contained in Attachments 1 and 2 of the referenced letters has been handled and classified as proprietary to MPM. On behalf of MPM, Entergy requests that Attachments 1 and 2 in the referenced letters be withheld from public disclosure in accordance with 10 CFR 2.390(b)(1)."

This letter contains no new commitments. If you have any questions or require additional information, please contact Mr. James Nadeau at (601) 437-2103.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 18, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read 'KJM/ras', with a long, wavy horizontal line extending to the right.

Attachments:

1. MPM Machinery and Testing, LLC Affidavit For the Proprietary Reports Attached in Letter GNRO-2014/00080
2. MPM Machinery and Testing, LLC Affidavit For the Proprietary Reports Attached in Letter GNRO-2015/00011

cc: with Attachment and Enclosures

U. S. Nuclear Regulatory Commission  
ATTN: Mr. Alan Wang, NRR/DORL (w/2)  
Mail Stop OWFN 8 B1  
Washington, DC 20555-0001

cc: without Attachment and Enclosures

U.S. Nuclear Regulatory Commission  
ATTN: Mr. Mark Dapas, (w/2)  
Regional Administrator, Region IV  
1600 East Lamar Boulevard  
Arlington, TX 76011-4511

NRC Senior Resident Inspector  
Grand Gulf Nuclear Station  
Port Gibson, MS 39150

Dr. Mary Currier, M.D., M.P.H  
State Health Officer  
Mississippi Department of Health  
P. O. Box 1700  
Jackson, MS 39215-1700

**Attachment 1**

**GNRO-2015/00053**

**MPM Machinery and Testing, LLC Affidavit**  
**For the Proprietary Reports Attached in Letter GNRO-2014/00080**

## MP Machinery and Testing, LLC

### AFFIDAVIT

I, Michael P. Manahan, Sr., state as follows:

- (1) I am the President of MP Machinery and Testing, LLC ("MPM"), and have been delegated the function of reviewing the information reported in References [1] and [2] which are sought to be withheld, and have been authorized to apply for its withholding.
- (2) The information sought to be withheld is contained in the Reference [1] report Number MPM-814779, Revision 1, and Reference [2] report Number MPM-614993, November, 2014, MP Machinery and Testing, LLC., 2161 Sandy Drive, State College, PA 16803-2283, November, 2014.
- (3) In making this application for withholding of proprietary information of which it is the owner or licensee, MPM relies upon the exemption from disclosure set forth in the *Freedom of Information Act* ("FOIA"), 5 U.S.C. Sec. 552(b)(4), and the *Trade Secrets Act*, 18 U.S.C. 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 qualifies 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, 975 F.2d 871 (D.C. Cir. 1992), and Public Citizen Health Research Group v. FDA, 704 F.2d 1280 (D.C. Cir. 1983).
- (4) The information sought to be withheld is considered to be proprietary for the reasons set forth in paragraphs (4) a., (4) b. and (4) d. listed below. Some examples of categories of information that 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 MPM's competitors without license from MPM constitutes a competitive economic advantage over other companies;
  - b. Information that, if used by a competitor, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;
  - c. Information that reveals aspects of past, present, or future MPM customer-funded development plans and programs, resulting in potential products to MPM;
  - d. Information that discloses trade secret or potentially patentable subject matter for which it may be desirable to obtain patent protection.
- (5) To address 10 CFR 2.390(b)(4), the information sought to be withheld is being submitted to the NRC in confidence. The information is of a sort customarily held in confidence by MPM,

## MP Machinery and Testing, LLC

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 MPM, not been disclosed publicly, and not been made available in public sources. All disclosures to third parties, including any required transmittals to the NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary or confidentiality agreements that provide for maintaining the information in confidence. The initial designation of this information as proprietary information, and the subsequent steps taken to prevent its unauthorized disclosure, are as set forth in the following paragraphs (6) and (7).

- (6) Initial approval of proprietary treatment of a document is made by the manager of the originating component, who is the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge, or who is the person most likely to be subject to the terms under which it was licensed to MPM.
- (7) The procedure for approval of external release of such a document typically requires review by the staff manager, project manager, principal engineer or scientist, or other equivalent authority for technical content, competitive effect, and determination of the accuracy of the proprietary designation. Disclosures outside MPM 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 or confidentiality agreements.
- (8) The information identified in paragraph (2), above, is classified as proprietary because it contains the details of MPM methodology. These methods, techniques, and data along with their application to the design, modification, and analyses were achieved at a significant cost to MPM.

The development of the evaluation processes along with the interpretation and application of the analytical results is derived from the extensive experience databases that constitute a major and substantial MPM asset.

- (9) Public disclosure of the information sought to be withheld is likely to cause substantial harm to MPM's competitive position and foreclose or reduce the availability of profitmaking opportunities. The information is part of MPM's comprehensive radiation transport technology base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and analytical methodology and includes development of the expertise to determine and apply the appropriate evaluation process. In addition, the technology base includes the value derived from providing analyses done with NRC-approved methods.

The research, development, engineering, analytical and NRC review costs comprise a substantial investment of time and money by MPM. 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. MPM's competitive advantage will be lost if its competitors are able to use the results of the MPM experience to normalize or verify their own process or if they

## MP Machinery and Testing, LLC

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 MPM 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 MPM of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment in developing and obtaining these very valuable analytical tools.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this fifteenth day of November, 2014.



Dr. M. P. Manahan, Sr.  
President  
MP Machinery and Testing,  
2161 Sandy Drive  
State College, PA 16803

### References

- [1] "Neutron Transport Analysis for Grand Gulf Nuclear Station," MPM Report Number MPM-814779, Revision 1, MP Machinery and Testing, LLC., 2161 Sandy Drive, State College, PA 16803-2283, November, 2014.
- [2] "Benchmarking of MPM Methods for Nuclear Plant Neutron Transport Calculations," MPM Report Number MPM-614993, November, 2014, MP Machinery and Testing, LLC., 2161 Sandy Drive, State College, PA 16803-2283, November, 2014

**Attachment 2**

**GNRO-2015/00053**

**MPM Machinery and Testing, LLC Affidavit**  
**For the Proprietary Reports Attached in Letter GNRO-2015/00011**



# MP Machinery and Testing, LLC

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I, Michael P. Manahan, Sr., state as follows:

- (1) I am the President of MP Machinery and Testing, LLC ("MPM"), and have been delegated the function of reviewing the information reported in References [1] and [2] which are sought to be withheld, and have been authorized to apply for its withholding.
- (2) The information sought to be withheld is contained in the Reference [1] report Number MPM-814779, Revision 2, and Reference [2] report Number MPM-614993, Revision 3, MP Machinery and Testing, LLC., 2161 Sandy Drive, State College, PA 16803-2283, January, 2015.
- (3) In making this application for withholding of proprietary information of which it is the owner or licensee, MPM relies upon the exemption from disclosure set forth in the *Freedom of Information Act* ("FOIA"), 5 U.S.C. Sec. 552(b)(4), and the *Trade Secrets Act*, 18 U.S.C. 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 qualifies 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, 975 F.2d 871 (D.C. Cir. 1992), and Public Citizen Health Research Group v. FDA, 704 F.2d 1280 (D.C. Cir. 1983).
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  - b. Information that, if used by a competitor, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;
  - c. Information that reveals aspects of past, present, or future MPM customer-funded development plans and programs, resulting in potential products to MPM;
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## MP Machinery and Testing, LLC

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on this thirty-first day of January, 2015.



Dr. M. P. Manahan, Sr.  
President  
MP Machinery and Testing,  
2161 Sandy Drive  
State College, PA 16803

### References

- [1] "Neutron Transport Analysis for Grand Gulf Nuclear Station," MPM Report Number MPM-814779, Revision 2, MP Machinery and Testing, LLC., 2161 Sandy Drive, State College, PA 16803-2283, January, 2015.
- [2] "Benchmarking of MPM Methods for Nuclear Plant Neutron Transport Calculations," MPM Report Number MPM-614993, Revision 3, MP Machinery and Testing, LLC., 2161 Sandy Drive, State College, PA 16803-2283, January, 2015.