



**Nebraska Public Power District**

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NLS2016014  
March 17, 2016

U.S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, D.C. 20555-0001

**Subject:** Response to Nuclear Regulatory Commission Request for Additional Information (RAI) Regarding Proposed Changes to the Technical Specifications for Implementation of a New Pressure-Temperature Limits Report  
Cooper Nuclear Station, Docket No. 50-298, Licensing No. DPR-46

- References:**
1. Email from William Huffman, U.S. Nuclear Regulatory Commission, to Jim Shaw, Nebraska Public Power District, dated February 12, 2016, "P-T Curve Relation Amendment - RAI Clarification Call Summary"
  2. Letter from Oscar A. Lempias, Nebraska Public Power District, to the U.S. Nuclear Regulatory Commission, dated August 6, 2015, "License Amendment Request to Revise Technical Specifications to Relocate Pressure and Temperature Limit Curves to a Pressure and Temperature Limits Report"

Dear Sir or Madam:

The purpose of this letter is for the Nebraska Public Power District to respond to the Nuclear Regulatory Commission's Request for Additional Information (RAI) (Reference 1) related to the Cooper Nuclear Station "License Amendment Request to Revise Technical Specifications to Relocate Pressure and Temperature Limit Curves to a Pressure and Temperature Limits Report" (Reference 2).

The response to the RAI is provided in the attachment to this letter. A revised non-proprietary version of the Pressure-Temperature Limits Report (PTLR) is included as Enclosure 1. A revised proprietary version of the PTLR is included as Enclosure 2. Enclosure 3 provides the Affidavit for the withholding of proprietary information.

This letter does not contain any new regulatory commitments.

If you have any questions concerning this matter, please contact Jim Shaw, Licensing Manager, at (402) 825-2788.

**Note: Enclosure 2 to this letter contains Proprietary Information. Upon separation from Enclosure 2, the remainder of this document is decontrolled.**

A001  
NRR

**PROPRIETARY INFORMATION - WITHHOLD UNDER 10 CFR 2.390**

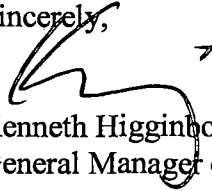
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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 3/17/16  
(Date)

Sincerely,

  
Kenneth Higginbotham  
General Manager of Plant Operations

/dv

Attachment: Response to Nuclear Regulatory Commission Request for Additional Information (RAI) Regarding Proposed Changes to the Technical Specifications for Implementation of a New Pressure and Temperature Limits Report (PTLR)

Enclosures: 1. Cooper Nuclear Station Pressure and Temperature Limits Report (PTLR) for 32 Effective Full-Power Years (EFPY) (Non-Proprietary version of ER 15-015)  
2. Cooper Nuclear Station Pressure and Temperature Limits Report (PTLR) for 32 Effective Full-Power Years (EFPY) (Proprietary)  
3. Affidavit for Withholding Proprietary Information Contained in the Cooper Nuclear Station Pressure and Temperature Limits Report (PTLR) for 32 Effective Full-Power Years (EFPY)

cc: Regional Administrator w/ attachment and enclosures  
USNRC - Region IV

Cooper Project Manager w/ attachment and enclosures  
USNRC - NRR Plant Licensing Branch IV-2

Senior Resident Inspector w/ attachment and enclosures  
USNRC - CNS

NPG Distribution w/o attachment and enclosures

CNS Records w/ attachment and enclosures

**Note: Enclosure 2 to this letter contains Proprietary Information. Upon separation from Enclosure 2, the remainder of this document is decontrolled.**

**Attachment**

**Response to Nuclear Regulatory Commission Request for Additional Information (RAI)  
Regarding Proposed Changes to the Technical Specifications for Implementation of a New  
Pressure and Temperature Limits Report (PTLR)**

Cooper Nuclear Station, Docket No. 50-298, License No. DPR-46

The Nuclear Regulatory Commission RAI regarding the relocation of the pressure and temperature limit curves to a pressure and temperature limits report are shown in italics. The Nebraska Public Power District (NPPD) responses to the requests are shown in normal font.

RAI-1

Request for CNS Integrated Surveillance Program (ISP) Data from BWRVIP-135

*Table 4 of the proposed CNS PTLR lists the adjusted reference temperature (ART) for the  $RT_{NDT}$  (Reference Temperature for Nil Ductility Transition) calculations and the supporting material property and neutron fluence inputs for the CNS reactor pressure vessel (RPV) beltline materials, applicable to 32 EFY. The staff notes that some of the material property entries in the fourth and fifth lines in the ART table are marked as Electric Power Research Institute (EPRI) Proprietary information. For these specific line entries, please provide the supporting ISP data and calculations from the Boiling Water Reactor Vessel and Internals Project (BWRVIP) ISP Data Source Book (BWRVIP-135) for determining the chemistry factors. In addition, to ensure consistency with Criterion No. 7 for PTLRs, as established in Table 1 of GL 96-03, please supplement the proposed CNS PTLR to include the ISP data and calculations from BWRVIP-135 for determining the chemistry factors.*

NPPD Response

The applicable pages of BWRVIP-135, Revision 3 Appendices (Appendix A-2 and Appendix A-19) are included with the Cooper Nuclear Station (CNS) PTLR as Supplement 1. This supplement contains the EPRI evaluation of the surveillance data obtained from plate materials that are contained in the CNS RPV beltline. No EPRI evaluation of the CNS representative weld material is attached to the PTLR since the CNS ISP representative weld material heat does not match any weld material in the CNS RPV beltline.

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Enclosure 3

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**Enclosure 3**

**Affidavit for Withholding Proprietary Information Contained in the Cooper Nuclear Station Pressure and Temperature Limits Report (PTLR) for 32 Effective Full-Power Years (EFPY)**

Cooper Nuclear Station, Docket No. 50-298, License No. DPR-46



**Kurt Edsinger**  
Director, PWR &  
BWR Materials

*Ref. EPRI Project Number 669*

March 11, 2016

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

**Subject: Request for Withholding of the following Proprietary Information Included in:**

*"Cooper Nuclear Station Pressure and Temperature Limits Report (PTLR) for 32 Effective Full-Power Years (EFPY). Engineering Report No. 15-015 Rev 2, with Proprietary EPRI BWRVIP-135 Rev 3 Sections, "BWR Vessel and Internals Project, Integrated Surveillance Program (ISP) Data Source Book and Plant Evaluations, 3002003144, Technical Report, December 2014"*

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 report identified in the enclosed Affidavit consisting of the proprietary information owned by Electric Power Research Institute, Inc. ("EPRI") identified in the attached report. Proprietary and non-proprietary versions of the Response and the Affidavit in support of this request are enclosed.

EPRI desires to disclose the Proprietary Information in confidence to assist the NRC review of the enclosed submittal to the NRC by NPPD. The Proprietary Information is not to be divulged to anyone outside of the NRC or to any of its contractors, nor shall any copies be made of the Proprietary Information provided herein. EPRI welcomes any discussions and/or questions relating to the information enclosed.

If you have any questions about the legal aspects of this request for withholding, please do not hesitate to contact me at (650) 855-2271. Questions on the content of the Report should be directed to Andy McGehee of EPRI at (704) 502-6440.

Sincerely,

A handwritten signature in black ink, appearing to read "Sheldon Stuchell", written over a horizontal line.

Attachment(s)

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

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**AFFIDAVIT**

**RE: Request for Withholding of the Following Proprietary Information Included In:**

"Cooper Nuclear Station Pressure and Temperature Limits Report (PTLR) for 32 Effective Full-Power Years (EFPY). Engineering Report No. 15-015 Rev 2, with Proprietary EPRI BWRVIP-135 Rev 3 Sections, "BWR Vessel and Internals Project, Integrated Surveillance Program (ISP) Data Source Book and Plant Evaluations, 3002003144, Technical Report, December 2014"

I, Kurt Edsinger, being duly sworn, depose and state as follows:

I am the Director of PWR and BWR Materials at Electric Power Research Institute, Inc. whose principal office is located at 3420 Hillview Avenue, Palo Alto, CA. ("EPRI") and I have been specifically delegated responsibility for the above-listed report that contains EPRI Proprietary Information that is sought under this Affidavit to be withheld "Proprietary Information". I am authorized to apply to the U.S. Nuclear Regulatory Commission ("NRC") for the withholding of the Proprietary Information on behalf of EPRI.

EPRI Proprietary Information is identified in the above referenced report by a solid underline inside double brackets. Examples of such identification is as follows:

{{This sentence is an example.<sup>(E)</sup>}}

[[This sentence is an example]]

Tables containing EPRI Proprietary Information are identified with double brackets before and after the object. In each case the superscript notation <sup>(E)</sup> refers to this affidavit and all the bases included below, which provide the reasons for the proprietary determination.

EPRI requests that the Proprietary Information be withheld from the public on the following bases:

Withholding Based Upon Privileged And Confidential Trade Secrets Or Commercial Or Financial Information (see e.g., 10 C.F.R. § 2.390(a)(4):

a. The Proprietary Information is owned by EPRI and has been held in confidence by EPRI. All entities accepting copies of the Proprietary Information do so subject to written agreements imposing an obligation upon the recipient to maintain the confidentiality of the Proprietary Information. The Proprietary Information is disclosed only to parties who agree, in writing, to preserve the confidentiality thereof.

b. EPRI considers the Proprietary Information contained therein to constitute trade secrets of EPRI. As such, EPRI holds the Information in confidence and disclosure thereof is strictly limited to individuals and entities who have agreed, in writing, to maintain the confidentiality of the Information.

c. The information sought to be withheld is considered to be proprietary for the following reasons. EPRI made a substantial economic investment to develop the Proprietary Information and, by prohibiting

public disclosure, EPRI derives an economic benefit in the form of licensing royalties and other additional fees from the confidential nature of the Proprietary Information. If the Proprietary Information were publicly available to consultants and/or other businesses providing services in the electric and/or nuclear power industry, they would be able to use the Proprietary Information for their own commercial benefit and profit and without expending the substantial economic resources required of EPRI to develop the Proprietary Information.

d. EPRI's classification of the Proprietary Information as trade secrets is justified by the Uniform Trade Secrets Act which California adopted in 1984 and a version of which has been adopted by over forty states. The California Uniform Trade Secrets Act, California Civil Code §§3426 – 3426.11, defines a "trade secret" as follows:

"Trade secret" means information, including a formula, pattern, compilation, program device, method, technique, or process, that:

(1) Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and

(2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy."

e. The Proprietary Information contained therein are not generally known or available to the public. EPRI developed the information only after making a determination that the Proprietary Information was not available from public sources. EPRI made a substantial investment of both money and employee hours in the development of the Proprietary Information. EPRI was required to devote these resources and effort to derive the Proprietary Information. As a result of such effort and cost, both in terms of dollars spent and dedicated employee time, the Proprietary Information is highly valuable to EPRI.

f. A public disclosure of the Proprietary Information would be highly likely to cause substantial harm to EPRI's competitive position and the ability of EPRI to license the Proprietary Information both domestically and internationally. The Proprietary Information can only be acquired and/or duplicated by others using an equivalent investment of time and effort.

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 3420 Hillview Avenue, Palo Alto, CA. 94304 being the premises and place of business of Electric Power Research Institute, Inc.

Date: 3/11/2016

Kurt Edsinger  
Kurt Edsinger

Civil Code § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

(State of California)  
(County of Santa Clara)

Subscribed and sworn to (or affirmed) before me on this 17<sup>th</sup> day of March, 2016 by  
Bert Dahl, proved to me on the basis of satisfactory evidence to be  
the person(s) who appeared before me

Signature Bert Dahl (Seal)

My Commission Expires 20 day of March, 2019

