

**This letter contains proprietary information.  
Withhold Enclosure 1 from public disclosure in accordance with 10 CFR 2.390.**



**Entergy Operations, Inc.**  
1340 Echelon Parkway  
Jackson, MS 39213  
Tel 601-368-5102

**Phil Couture**  
Sr. Manager, Fleet Regulatory  
Assurance

10 CFR 2.390

OCAN052103

May 25, 2021

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

Subject: Presentation Information for Pre-Submittal Meeting Regarding the Response to Request for Additional Information – Proposed Alternative to ASME Section XI Requirements for Repair/Replacement of Emergency Cooling Pond Supply Piping

Arkansas Nuclear One, Unit 1 and Unit 2  
NRC Docket Nos. 50-313 and 50-368  
Renewed Facility Operating License Nos. DPR-51 and NPF-6

A meeting (phone conference) between Entergy Operations, Inc. (Entergy), Structural Group, Inc. (SGI), Simpson Gumpertz & Heger, Inc. and the U. S. Nuclear Regulatory Commission (NRC) is scheduled for May 26, 2021, in order to discuss an NRC Request for Additional Information (RAI). The RAI is concerning the proposed alternative to ASME Section XI Requirements for Repair/Replacement of Emergency Cooling Pond piping at Arkansas Nuclear One (ANO).

From preparation of the presentation material to be used in the meeting, it was determined that the material is proprietary to SGI. On that basis, the meeting is planned to be closed to the public.

The presentation material to be used for the meeting is in the form of PowerPoint "slides" prepared by SGI personnel and reviewed by Entergy. The purpose of this letter is to transmit the slides to the NRC staff prior to the meeting.

Slides for the meeting are provided in Enclosure 1. These slides are considered proprietary to SGI and are to be withheld from public disclosure in accordance with 10 CFR 2.390 of the Commission's regulations.

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This information is supported by affidavit, signed by Scott Greenhaus, Executive Vice President of SGI, the owners of the information. The affidavits set forth the bases by which the information may be withheld from public disclosure by the Commission and addresses with specificity the considerations listed in paragraph (b)(4) of 10 CFR 2.390 of the Commission's regulations. The affidavit is included in the SGI letter to the NRC entitled, "Application for Withholding Proprietary Information from Public EMIB-2-RAI-1 Pre-submittal Meeting". The SGI authorization letter is provided in Enclosure 2.

No new regulatory commitments are included in this submittal.

If there are any questions or if additional information is needed, please contact Riley Keele, Jr., Manager, Regulatory Assurance, Arkansas Nuclear One, at 479-858-7826.

Respectfully,



Phil Couture

PC/rwc

Enclosures:

1. Presentation Material for May 26, 2021, Meeting (**Proprietary**)
2. SGI Application for Withholding Proprietary Information from Public

cc: NRC Region IV Regional Administrator  
NRC Senior Resident Inspector – Arkansas Nuclear One  
NRC Project Manager – Arkansas Nuclear One

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**Enclosure 2**

**OCAN052103**

**SIG Application for Withholding  
Proprietary Information from Public  
(6 pages)**

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May 21, 2021

U.S. Nuclear Regulatory Commission  
Document Control Desk  
11555 Rockville Pike  
Rockville, MD 20852

Subject: Application for Withholding Proprietary Information from Public  
EMIB-2-RAI-1 Pre-submittal Meeting

References:

1. Entergy Operations, Inc. (Entergy) letter to U. S. Nuclear Regulatory Commission (NRC), "Response to Request for Additional Information - Proposed Alternative to ASME Boiler & Pressure Vessel Code Section XI Requirements for Repair/Replacement of Emergency Cooling Pond (ECP) Supply Piping in accordance with 10 CFR 50.55a(z)(1)," Arkansas Nuclear One, Units 1 and 2, NRC Docket Nos. 50-313 and 50-368, Entergy letter no. 0CAN02201.
2. Entergy Operations, Inc. (Entergy) letter to U. S. Nuclear Regulatory Commission (NRC), "Proposed Alternative to ASME Boiler & Pressure Vessel Code Section XI Requirements for Repair/Replacement of Emergency Cooling Pond (ECP) Supply Piping in accordance with 10 CFR 50.55a(z)(1)," Arkansas Nuclear One, Units 1 and 2 (0CAN072001) (ML20218A672).
3. NRC email to Entergy, "Arkansas Nuclear One, Units 1 and 2 – Request for Additional Information RE: Proposed Alternative to ASME Code Requirements for the Repair of Emergency Cooling Pond Piping (EPID L-2020-LLR-0104)," (0CNA012105).
4. NRC (Thomas Wengert) email to Entergy (Riley Keele), April 26, 2021 at 6:54 AM, "ANO-1 and ANO-2: Final Supplemental RAI RE: Proposed Alternative to ASME Section XI Requirements for Repair/Replacement of ECP Supply Piping (EPID L-2020-LLR-0104)."

Ladies and Gentlemen:

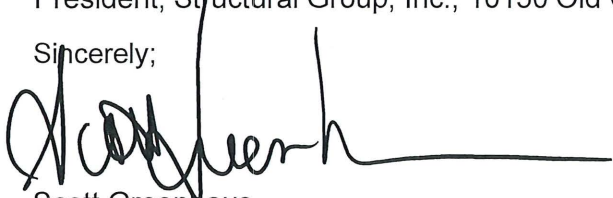
Structural Group, Inc., (SGI) has provided certain proprietary information to Entergy Operations, Inc. (Entergy) in connection with a pre-submittal meeting to review the response to EMIB-2-RAI-1 provided by the U.S. Nuclear Regulatory Commission (USNRC) in Reference 4. This application requests that SGI proprietary information provided in the pre-submittal meeting documents related to EMIB-2-RAI-1 be protected from public disclosure.

The proprietary information for which withholding is being requested is identified in the attached affidavit signed by the owner of the proprietary information, SGI, on behalf of itself and any wholly-owned subsidiaries or affiliated companies. An affidavit accompanies this letter, setting forth the basis on which the information may be withheld from public disclosure by the NRC and addressing with specificity the considerations listed in paragraph (b)(4) of 10 CFR 2.390 of the NRC's regulations.

Accordingly, this letter authorizes the utilization of the accompanying Affidavit by Entergy.

Correspondence with respect to the proprietary aspects of the Application or the Affidavit should reference this letter and be addressed to Scott Greenhaus, Executive Vice President, Structural Group, Inc., 10150 Old Columbia Road, Columbia, MD 21046.

Sincerely;

A handwritten signature in black ink, appearing to read "Scott Greenhaus", with a long horizontal line extending to the right.

Scott Greenhaus  
Executive Vice President  
O (410) 859-6458, M (410) 340-3205  
[SGreenhaus@structuralgroup.com](mailto:SGreenhaus@structuralgroup.com)

## AFFIDAVIT

I, Scott Greenhaus, am Executive Vice President of Structural Group, Inc. (SGI). In my capacity as Executive Vice President I have been specifically delegated the function of reviewing the proprietary information sought to be withheld from public disclosure in conjunction with nuclear plant licensing and rulemaking proceedings and am authorized to apply for its withholding on behalf of SGI and its affiliates.

I am making this Affidavit in conformance with the provisions of 10 CFR 2.390 of the U.S. Nuclear Regulatory Commission (NRC) regulations and in conjunction with SGI's Application for Withholding Proprietary Information from Public Disclosure accompanying this Affidavit.

I have personal knowledge of the criteria and procedures utilized by SGI in designating information as a trade secret, privileged or as confidential commercial or financial information.

Pursuant to the provisions of paragraph (b) (4) of 10 CFR 2.390 of the NRC's regulations, the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.

The information sought to be withheld from public disclosure is owned by and has been held in confidence by SGI. The documents provided in the Entergy pre-submittal meeting with the USNRC in response to Reference 4 (EMIB-2-RAI-1) include SGI proprietary information and are requested to be protected from public disclosure.

The information is of a type customarily held in confidence by SGI and not disclosed to the public. SGI has a rational basis for determining the types of information customarily held in confidence by it and utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system provides a rational basis for maintaining confidentiality and justifies the NRC withholding the information from public disclosure.

Under SGI's system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:

- 1) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by a competitor of SGI without license constitutes a competitive advantage over other companies.
- 2) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- 3) Its use 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 a similar product.
- 4) It reveals cost or price information, production capacities, budget levels, or commercial strategies of SGI, their customers or suppliers.
- 5) It reveals aspects of past, present, or future development plans funded by SGI or its customer, and programs of potential commercial value to SGI.
- 6) It contains patentable ideas, for which patent protection may be desirable.

There are sound policy reasons behind the SGI system which include the following;

- 1) The use of such information by SGI gives it a competitive advantage over

competitors. It is, therefore, withheld from disclosure to protect SGI's competitive position.

- 2) It is information that is marketable in many ways. The extent to which such information is available to competitors diminishes SGI's ability to sell products and services involving the use of the information.
- 3) Use by a competitor would put SGI at a competitive disadvantage by reducing the competitor's expenditure of resources and capital.
- 4) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire process, thereby depriving SGI of its competitive advantage.
- 5) Unrestricted disclosure would jeopardize the position of prominence of SGI in the world marketplace, and thereby give a market advantage to competitor in those countries in which SGI operates.
- 6) SGI's capacity to invest corporate assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.

The information is being transmitted to the NRC in confidence and, under the provisions of 10 CFR 2.390, it is to be received in confidence by the NRC. The information sought to be protected is not available in public sources and, to the best of our knowledge and belief, available information has not been previously employed in the same original manner or method.

The proprietary information sought to be withheld in this submittal is that which is appropriately marked in Entergy's responses to the NRC RAI (EMIB-2-RAI-1) being transmitted by Entergy letter (Docket Nos. 50-313/368) and reflected in SGI's Application for Withholding Proprietary Information from Public Disclosure addressed to the NRC Document Control Desk. The proprietary information as submitted by SGI is that associated with the "Proposed Alternative to ASME Section XI Requirements for Repair/Replacement of Emergency Cooling Pond (ECP) Supply Piping for Entergy Arkansas Nuclear One (ANO) Units 1 and 2" (Reference 2) and may be used only for that purpose.

This information is part of that which will enable SGI to:

- 1) Provide input to Entergy to provide to the NRC for the ANO Units 1 and 2, RAI response; and
- 2) Provide licensing support for the Entergy response.

SGI owns or is permitted to use the proprietary information referenced in this Affidavit under agreements that include SGI's maintaining the confidentiality of such information, as contemplated in this Affidavit.

Further this information has substantial commercial value as follows;

- 1) The SGI plan to sell the use of this information to their customers for the purpose of installing Carbon Fiber Reinforced Polymer (CFRP) in safety related piping.
- 2) That SGI can sell support and defense of the technology to their customers in the licensing process.
- 3) The information requested to be withheld reveals the distinguishing aspects of a methodology which was developed by SGI.
- 4) Public disclosure of this proprietary information is likely to cause substantial harm to the

competitive position of SGI because it would enhance the ability of competitors to provide similar licensing services for commercial power reactors without commensurate expenses.

- 5) Public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.
- 6) The development of the technology described in part by the proprietary information is the result of applying the results of many years of experience in an intensive effort by SGI and the expenditure of a considerable sum of money and resources. In order for competitors to duplicate this information, similar technical programs would have to be performed including a significant expenditure money and resources.

Further the deponent sayeth not.



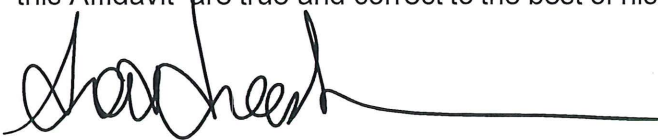
struc'tural  
group

AFFIDAVIT

State of Maryland )

County of Howard )

Before me, the undersigned authority, personally appeared Scott Greenhaus, who, being by me duly sworn according to law, deposes and says that he is authorized to execute this Affidavit on behalf of Structural Group, Inc. and that the averments of fact set forth in this Affidavit are true and correct to the best of his knowledge, information, and belief.



Scott Greenhaus  
Executive Vice President

Sworn to and subscribed before me this 17th day of May 2021



Notary Public

Harford County, MD

My Commission Expires 6/11/2024

