



**MRP** Materials Reliability Program \_\_\_\_\_ MRP 2022-004

(via email)

Date: February 23, 2022

To: Document Control Desk  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-001

Subject: Report Transmittal: Materials Reliability Program: Pressurized Water Reactor Internals Inspection and Evaluations Guideline (MRP-227 Revision 2), EPRI, Palo Alto, CA, 2021, 3002020105. Ref.: EPRI Docket No. 99902021

Attention: Ms. Lois James (lois.james@nrc.gov)

Enclosed is the EPRI report “Materials Reliability Program: Pressurized Water Reactor Internals Inspection and Evaluation Guidelines (MRP-227 Revision 2).” This report is being transmitted as a means of exchanging information with the NRC for the purpose of supporting generic regulatory improvements related to the methodologies for verifying pressurized water reactor (PWR) internals integrity throughout the life of the plant, including the extended operating period authorized by license renewal in accordance with 10CFR Part 54.

Also included is an affidavit requesting that this EPRI-licensed information be withheld from public disclosure. The document includes the proper markings on them in accordance with 10 CFR 2.390(a)(4). EPRI and our utility membership recognize the value of this intellectual property (MRP-227 Rev. 2 changes, extension of guidance to cover subsequent license renewal, SLR) and EPRI desires to have this information protected from non-funder utilities and other potentially competing entities. EPRI hereby transmits a redacted (-NP) version and a marked-up proprietary version of this topical report.

EPRI is requesting that the NRC issue a safety evaluation report (SER) on the MRP-227 Revision 2. The review requested herein is for the incremental changes made to MRP-227 Revision 1-A, some of which were requested by NRC staff. The industry does not request a re-review of the entire document. The incremental changes are detailed in Appendix F of the MRP-227 Revision 2 document.

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If you have any questions about this project, please contact Mr. Bob McGill at EPRI (rmcgill@epri.com, 408-621-9824) or Mr. Kyle Amberge (kamberge@epri.com, 704-595-2039).

Sincerely,

Handwritten signature of Brad Adams in cursive script.

Brad Adams, Chairman, PMMP EC  
Southern Nuclear

Handwritten signature of Robert O. McGill in cursive script.

Robert O. McGill, MRP Program Manager  
Electric Power Research Institute

cc: Serita Sanders (serita.sanders@nrc.gov)



Docket No. 99902021

October 11, 2021

Attention: Joe Holonich, NRR  
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 Document:

*Materials Reliability Program: Pressurized Water Reactor Internals Inspection and Evaluations Guideline*  
(MRP-227 Revision 2), EPRI, Palo Alto, CA, 2021, 3002020105.

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

EPRI is requesting that the NRC issue a safety evaluation report (SER) on MRP-227 Revision 2. Because of the unique nature of this Report's technical content generically supporting subsequent license renewal (SLR) applications, EPRI desires to disclose the Report in confidence consistent with the process used on prior versions of this topical report transmitted since 2008. This Topical Report 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 Report 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 (704) 595-2630. Questions on the content of the Report should be directed to Kyle Amberge of EPRI at (704) 595-2039.

Sincerely,

Attachment(s)  
c: Joe Holonich, NRC (joseph.holonich@nrc.gov)

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## AFFIDAVIT

RE: Request for Withholding of the Following Proprietary Document:

Materials Reliability Program: Pressurized Water Reactor Internals  
Inspection and Evaluations Guideline (MRP-227 Revision 2),  
EPRI, Palo Alto, CA, 2021, 3002020105.

I, Steven Mark Swilley, being duly sworn, depose and state as follows:

I am the Senior Director and Deputy 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 Report be withheld from the public on the following basis:

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

b. EPRI considers the Report and the proprietary information contained therein (the "Proprietary Information") to constitute trade secrets of EPRI. As such, EPRI holds the Report in confidence and disclosure thereof is strictly limited to individuals and entities who have agreed, in writing, to maintain the confidentiality of the Report. EPRI made a substantial economic investment to develop the Report, 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 Report. If the Report and 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 Report for their own commercial benefit and profit and without expending the substantial economic resources required of EPRI to develop the Report.

c. EPRI's classification of the Report and 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.”

d. The Report and the Proprietary Information contained therein are not generally known or available to the public. EPRI developed the Report 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 Report. EPRI was required to devote these resources and effort to derive the Proprietary Information and the Report. As a result of such effort and cost, both in terms of dollars spent and dedicated employee time, the Report is highly valuable to EPRI.

e. 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 and Report 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 North Carolina.

Executed at 1300 W WT Harris Blvd, Charlotte, NC being the premises and place of business of Electric Power Research Institute, Inc.

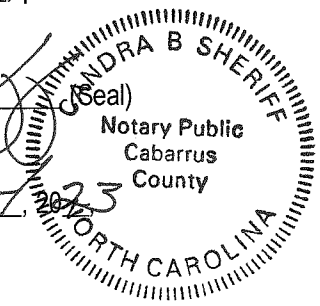
Date: Oct 11, 2021

AMS  
Steven Mark Swilley

(State of North Carolina)  
(County of Mecklenburg)

Subscribed and sworn to (or, affirmed) before me on this 11 day of October, 2021 by Steve Swilley, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Andee B. Sheff



My Commission Expires 12 day of August, 2023