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U.S. Nuclear Regulatory Commission Closed Meeting Summary

Title: Meeting Between the Nuclear Regulatory Commission (NRC) staff and representatives of the Electric Power Research Institute (EPRI) to Discuss the Proprietary Withholding Request Associated with the Staff's Review of MRP-227, "Materials Reliability Program: Pressurized Water Reactor Internals Inspection and Evaluations Guideline," Revision 2-P

Date of Meeting: March 18, 2022, 1:00 pm – 2:30 pm

Location: Webinar

Type of Meeting: This was a Closed Meeting.

Purpose of the Meeting:

To discuss the proprietary withholding request associated with the staff's review of MRP-227, "Materials Reliability Program: Pressurized Water Reactor Internals Inspection and Evaluations Guideline," Revision 2-P.

General Details:

The NRC staff held a closed meeting with the EPRI representatives to discuss the proprietary withholding request associated with the staff's review of MRP-227, "Materials Reliability Program: Pressurized Water Reactor Internals Inspection and Evaluations Guideline," Revision 2-P. The meeting began at 1:00 pm and ended 2:30 pm. There were six NRC staff members and six EPRI representatives. The meeting began with introductions of the NRC staff, EPRI representatives, and industry staff.

Summary of Meeting:

The NRC staff provided key aspects to consider when reviewing proprietary withholding requests:

- Information that is already public generally must remain public
- Types of information that has been public in the past should continue to be public, unless there is sufficient justification
- Owners of proprietary information should be strategic in withholding, for example, one proprietary cell in a table, does not necessarily make the entire table proprietary

The NRC staff stated that the vast majority of the line items in Table 4-1 in MRP-227, Revision 2-P, are the same as corresponding line items in MRP-227, Revision 1-A. While there are the new components, this type of information has not been customarily withheld as evidenced by the same type of information is available in MRP-227, Revision 1-A.

The NRC staff further explained that Chapters 4 and 5 of MRP-227 are key to the safety evaluation and to documenting the regulatory review.

The NRC staff explained that it recognizes that EPRI has expended resources to develop the tables in MRP-227, Revision 2-P, especially regarding the susceptibility ranking. The staff explained that some of the information could be considered proprietary, such as new rankings or newly assessed components.

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The EPRI representatives acknowledged that the major change in MRP-227, Revision 2-P, Section 4 tables is the applicability for plants between 60-80 years. [[

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]]

The EPRI representatives further explained that the proprietary withholding request is not a technical question, rather it is a business decision. Over the past 10 years, EPRI has had a number of companies say that they would like to join, but they don't need to join because the information is already available. Therefore, providing publicly available research is costing EPRI funds for further research and it would prefer to treat the entire report as proprietary because the document as a whole is the value.

The NRC staff stated that the NRC attorneys in the Office of General Counsel have made it clear that if it was previously public, then it should stay public.

The EPRI representatives stated they are open to giving the NRC staff what it needs, but EPRI needs to protect its business products.

The NRC staff further stated to make sure the EPRI representatives understand that it is difficult to use a public benefit justification for the fee waiver when information is being withheld as proprietary. It is not impossible to use the public benefit justification for proprietary information, it is just more difficult.

Public Participation Themes:

This was a closed meeting due to the proprietary nature of the topic, therefore, no members of the public were in attendance.

Related Documents:

Meeting description and agenda – ADAMS Accession No. ML22067A156
NRC slide presentation – ADAMS Accession No. ML22090A094