



Ref. EPRI Project Number 669

May 17, 2022

Andrew Johnson
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 Documents:

Steam Generator Management Program: PWR Steam Generator Top-of-Tubesheet Denting: 2021 Experience Update, 3002020905, December 2021

Steam Generator Management Program: Eddy Current Examination Technique Extension Justification Requirements, 3002020899, December 2021

Steam Generator Management Program: Automated Analysis Performance Demonstration Database Qualification Program Protocol, 3002020897, December 2021

Steam Generator Management Program: Evaluation of Leak Rate Estimation Methodology with Partial Through-Wall Depth Circumferential Crack: Phase 1 Testing Results, 3002020900, November 2021

Plus Point to X-Probe Amplitude Transfer Function and Probability of Detection: Development of a Transfer Function for Prediction of X-Probe Signal Amplitudes from Plus Point Probe Amplitudes and Development of X-Probe Probability of Detection Curves, 3002022466, December 2021

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 "Reports"). Proprietary versions of the Reports and the Affidavit in support of this request are enclosed.

EPRI desires to disclose the Reports in confidence as a means of exchanging technical information with the "NRC". The Reports are not to be divulged to anyone outside of the NRC or to any of its contractors, nor shall any copies be made of the Reports provided herein. EPRI welcomes any discussions and/or questions relating to the information enclosed.

Together . . . Shaping the Future of Electricity

CHARLOTTE OFFICE

1300 West W.T. Harris Boulevard, Charlotte, NC 28262-8550 USA • 704.595.2000 • Fax 704.595.2860
Customer Service 800.313.3774 • www.epri.com

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 Reports should be directed to Helen Cothron of EPRI at (865) 773-4033.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Stuchell".

Attachment(s)

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

AFFIDAVIT

Subject: Request for Withholding of the Following Proprietary Documents:

Steam Generator Management Program: PWR Steam Generator Top-of-Tubesheet Denting: 2021 Experience Update, 3002020905, December 2021

Steam Generator Management Program: Eddy Current Examination Technique Extension Justification Requirements, 3002020899, December 2021

Steam Generator Management Program: Automated Analysis Performance Demonstration Database Qualification Program Protocol, 3002020897, December 2021

Steam Generator Management Program: Evaluation of Leak Rate Estimation Methodology with Partial Through-Wall Depth Circumferential Crack: Phase 1 Testing Results, 3002020900, November 2021

Plus Point to X-Probe Amplitude Transfer Function and Probability of Detection: Development of a Transfer Function for Prediction of X-Probe Signal Amplitudes from Plus Point Probe Amplitudes and Development of X-Probe Probability of Detection Curves, 3002022466, December 2021

I, Steve 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 Reports that are sought under this Affidavit to be withheld (the "Reports"). I am authorized to apply to the U.S. Nuclear Regulatory Commission ("NRC") for the withholding of the Reports on behalf of EPRI.

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

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

Together . . . Shaping the Future of Energy™

CHARLOTTE OFFICE

1300 West W.T. Harris Boulevard, Charlotte, NC 28262-8550 USA • 704.595.2000 • Customer Service 800.313.3774 • www.epri.com

confidentiality of the Reports. EPRI made a substantial economic investment to develop the Reports, 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 Reports. If the Reports 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 Reports for their own commercial benefit and profit and without expending the substantial economic resources required of EPRI to develop the Reports.

c. EPRI's classification of the Reports 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 Reports and the Proprietary Information contained therein are not generally known or available to the public. EPRI developed the Reports 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 Reports. EPRI was required to devote these resources and effort to derive the Proprietary Information and the Reports. As a result of such effort and cost, both in terms of dollars spent and dedicated employee time, the Reports are 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 Reports 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: May 17, 2022

Steve Swilley
Steve Swilley

(State of North Carolina)
(County of Mecklenburg)

Subscribed and sworn to (or affirmed) before me on this 17 day of May, 2022 by Steve Swilley, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature *Robi Thompson* (Seal)

My Commission Expires 20 day of September, 2024

