



Entergy Operations, Inc.  
1448 S.R. 333  
Russellville, AR 72802  
Tel 479-858-4704

Stephenie L. Pyle  
Manager, Regulatory Assurance  
Arkansas Nuclear One

2CAN051504

May 19, 2015

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555-0001

SUBJECT: Revised Affidavit for Request for Relief ANO2-ISI-016  
Arkansas Nuclear One – Unit 2  
Docket No. 50-368  
License No. NPF-6

REFERENCE: Entergy letter dated April 15, 2014, "Successive Examination Plans  
Request for Relief ANO2-ISI-016," (2CAN041402) (ML14122A250)

Dear Sir or Madam:

By the reference letter, Entergy Operations, Inc. (Entergy) submitted the examination plans related to the Arkansas Nuclear One, Unit 2, request for relief ANO2-ISI-016. This submittal provided the details of the non-destructive examinations to be performed in support of the request. The submitted information included the examination procedure in Attachment 3 of the referenced letter.

Information related to the examination procedure is considered to be proprietary. During the review of the submittal, the NRC had questions concerning the proprietary information. Based upon additional discussions with the NRC it was determined that the issue in question is due to the fact that the procedure is a Structural Integrity Associates, Inc. (SIA) procedure but the affidavit that was provided with the submittal was from the Electric Power Research Institute (EPRI) and for a document that was not apparently part of the original submittal. See Attachment 4 of the referenced letter for the affidavit.

The SIA procedure states in the Purpose section that the procedure documents the approval and authorization to use the EPRI Document Zetec OMNISCAN Raster 03 Rev D procedure and that the EPRI document was Attachment 1 of the procedure. The procedure further states that SIA has a written use agreement from the owner of the subject procedure. This is a common practice within the industry.

The Zetec OMNISCAN Raster 03 Rev D procedure is Appendix C of the proprietary EPRI Report 1015133, "Nondestructive Evaluation: Procedure for Encoded, Manually Driven Phased Array Ultrasonic Examination of Dissimilar Metal Piping Welds." It was extracted for use in the SIA procedure. The affidavit that was provided for the referenced letter was for this entire EPRI document.

A047  
NRC

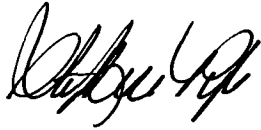
To be clear in what is being asked to be withheld from public disclosure in accordance with 10 CFR 2.390, a revised affidavit from EPRI is provided as an attachment to this letter. This affidavit is explicitly for the Zetec OMNISCAN procedure and states the procedure is Appendix C of the aforementioned EPRI document. EPRI requests that the proprietary information (Zetec OMNISCAN procedure) be withheld from public disclosure in accordance with 10 CFR 2.390. EPRI provided Entergy with authorization to provide the proprietary information.

This does not affect the proprietary version of the previously submitted information.

This correspondence contains no new commitments.

Should you have any questions regarding this submittal, please contact me.

Sincerely,



SLP/rwc

Attachment: Revised Affidavit

cc: Mr. Marc L. Dapas  
Regional Administrator  
U. S. Nuclear Regulatory Commission, Region IV  
1600 East Lamar Boulevard  
Arlington, TX 76011-4511

NRC Senior Resident Inspector  
Arkansas Nuclear One  
P. O. Box 310  
London, AR 72847

U. S. Nuclear Regulatory Commission  
Attn: Ms. Andrea E. George  
MS O-8B1  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852

**ATTACHMENT TO**  
**2CAN051504**  
**REVISED AFFIDAVIT**

**NEIL WILMSHURST**  
Vice President and  
Chief Nuclear Officer

*Ref. EPRI Project Number 1015133*

April 17, 2015

Robert Clark  
Senior Lead Engineer  
Entergy Operations, Inc.  
Arkansas Nuclear One 1448 State Route 333  
Russellville, AR 72802, USA

Subject: Request for Withholding of the following Proprietary Document: Procedure for Encoded, Phased Array Ultrasonic Examination of Dissimilar Metal Piping Welds - Zetec OMNISCAN Raster 03 Revision D, which is an appendix (Appendix C) extracted from the proprietary EPRI Report 1015133, "Nondestructive Evaluation: Procedure for Encoded, Manually Driven Phased Array Ultrasonic Examination of Dissimilar Metal Piping Welds" (Revised letter in reference to EPRI affidavit executed 040414 – submitted to NRC web site in ADAMS by Entergy on 041514. The number is ML14122A250)

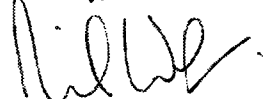
To Whom It May Concern:

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 version of the Report and the Affidavit in support of this request are enclosed.

EPRI desires to disclose the Report in confidence to assist Entergy with licensing actions. The 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) 595-2732. Questions on the content of the Report should be directed to Mark Dennis of EPRI at (704) 595-2648.

Sincerely,



Attachment(s)

It is our understanding that Entergy will download the report for transmittal to the NRC, from the EPRI website, using standard accepted practices.

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

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## AFFIDAVIT

RE: Request for Withholding of the Following Proprietary Document:

Request for Withholding of the following Proprietary Document: Procedure for Encoded, Phased Array Ultrasonic Examination of Dissimilar Metal Piping Welds - Zetec OMNISCAN Raster 03 Revision D, which is an appendix (Appendix C) extracted from the proprietary EPRI Report 1015133, "Nondestructive Evaluation: Procedure for Encoded, Manually Driven Phased Array Ultrasonic Examination of Dissimilar Metal Piping Welds" (Revised letter in reference to affidavit executed 040414 – submitted to NRC web site in ADAMS. The number is ML14122A250)

I, Neil Wilmschurst, being duly sworn, depose and state as follows:

I am the Vice President and 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 Procedure that is sought under this Affidavit to be withheld (the "Procedure"). I am authorized to apply to the U.S. Nuclear Regulatory Commission ("NRC") for the withholding of the Procedure on behalf of EPRI.

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

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

c. EPRI's classification of the Procedure 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 Procedure and the Proprietary Information contained therein are not generally known or available to the public. EPRI developed the Procedure 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 Procedure. EPRI was required to devote these resources and effort to derive the Proprietary Information and the Procedure. As a result of such effort and cost, both in terms of dollars spent and dedicated employee time, the Procedure 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 Procedure 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 1300 W WT Harris Blvd being the premises and place of business of Electric Power Research Institute, Inc.

Date: 4-17-2015  
Neil Wilms  
Neil Wilms

(State of North Carolina)  
(County of Mecklenburg)

Subscribed and sworn to (or affirmed) before me on this 17<sup>th</sup> day of April, 2015 by Neil Wilms, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Deborah H. Rouse (Seal)

My Commission Expires 2<sup>nd</sup> day of April, 2016