

MRP Materials Reliability Program MRP 2021-006

February 17, 2021

Docket No. 99902021

U.S. Nuclear Regulatory Commission
Document Control Desk
11555 Rockville Pike
1 White Flint N; Mail Stop: 0-12-D2
ROCKVILLE, MD 20852

Subject: Transmit Electric Power Research Institute Presentation Slides for Closed Meeting Regarding
MRP-229 Revision 4 to NRC for Information (TAC NO. ME0680)

Reference:

1. NRC meeting agenda dated February 1, 2021 [ADAMS accession number ML21034A000]

In preparation for EPRI's closed technical meeting on February 23, 2021, with NRC staff (Reference 1) we are forwarding one (1) copy of copyrighted Presentation slides regarding the following technical report that was previously submitted to NRC for information only (ML20322A321).

*Closed Meeting Presentation Materials Regarding 2/23/2021 NRC Meeting with EPRI-Materials
Reliability Program (Agenda ML21034A000)*

Also included is an affidavit requesting that this copyrighted information in the Presentation slides be withheld from public disclosure. The document includes the proper markings on them in accordance with 10 CFR 2.390(a)(4).

Based on the information in the Presentation slides, and the great extent of redaction required (>75% of the text and figures), EPRI will not generate a redacted copy of this presentation for inclusion in ADAMS. Since the NRC requested an **information only** copy of this technical report, the labor cost and burden associated with producing a redacted copy is unwarranted and inappropriate given the minimal public benefit of providing a redacted version with so many pages of redactions.

If you have any questions, please contact Brian Burgos at 724-610-8559 or Kyle Amberge at 704-595-2039.

Sincerely,



Christopher R. Koehler, Xcel Energy
MRP RIC Chair



Brian Burgos, EPRI
Sr. Program Manager - MRP

cc: Joseph Holonich (NRC)
MRP RIC Members

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1300 West W.T. Harris Boulevard, Charlotte, NC 28262-8550 USA • 704.595.2000 • Fax 704.595.2860
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Ref. EPRI Docket Number 99902021

February 17, 2021

Attention: Joseph 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 Commercial Document:

Closed Meeting Presentation Materials Regarding 2/23/2021 Meeting with EPRI-Materials Reliability Program (ML21034A000)

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 commercial information owned by Electric Power Research Institute, Inc. ("EPRI") identified above (the "Report"). Copies of the Presentation Materials and the Affidavit in support of this request are enclosed.

EPRI desires to disclose the Presentation Materials in confidence as requested by the NRC in a letter dated 11/9/2020 [Ref. ML20303A128]. The Presentation Materials are not to be divulged to anyone outside of the NRC nor shall any copies be made of the Presentation Materials 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 Presentation Materials should be directed to Kyle Amberge of EPRI at (704) 595-2039.

Sincerely,



Attachment(s)

c: Joe Holonich, NRC (Joe.Holonich@nrc.gov)

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AFFIDAVIT

RE: Request for Withholding of the Following Commercial Document:

Closed Meeting Presentation Materials Regarding 2/23/2021 Meeting with
EPRI-Materials Reliability Program (ML21034A000)

I, Steven 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 Presentation Materials that is sought under this Affidavit to be withheld (the "Presentation"). 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 Presentation 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 Presentation is owned by EPRI and constitutes commercial information which has not been placed in the public domain by EPRI.

b. EPRI made a substantial economic investment to develop the Presentation and, by prohibiting public disclosure, EPRI derives an economic benefit in the form of fees charged for the sale of the Presentation. The Presentation is entitled to the protection of the United States copyright laws. If the Presentation was publicly available to consultants and/or other businesses providing services in the electric and/or nuclear power industry at no cost, these entities would be able to use the Presentation for their own commercial benefit and profit and without expending the substantial economic resources required of EPRI to develop the Presentation.

c. EPRI made a substantial investment of both money and employee hours over an extended period of time in the development of the Presentation. As a result of such effort and cost, both in terms of dollars spent and dedicated employee time, the Presentation is highly valuable to EPRI.

d. A public disclosure of the Presentation would be highly likely to cause substantial harm to EPRI's competitive position and the ability of EPRI to sell the Presentation both domestically and internationally. If a party does not purchase the Presentation from EPRI, it would require an investment of money, time and effort equivalent to that expended by EPRI for the party to duplicate the Presentation.

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: Feb 17, 2021

Steven Swilley
Steven Swilley

(State of North Carolina)
(County of Mecklenburg)

Subscribed and sworn to (or affirmed) before me on this 17 day of February 2021 by Steven Swilley, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Candra B. Shuff
My Commission Expires 12 day of August 2023

