



John A. Krakuszeski
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June 22, 2021

Serial: RA-21-0194

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

Brunswick Steam Electric Plant, Unit Nos. 1 and 2
Renewed Facility Operating License Nos. DPR-71 and DPR-62
Docket Nos. 50-325 and 50-324

Subject: Additional Information Regarding Proposed Alternative to ASME Boiler & Pressure Vessel Code Section XI Requirements for Repair/Replacement of Service Water (SW) System Buried Piping in Accordance with 10 CFR 50.55a(z)(1)

Reference

1. Letter from John A. Krakuszeski (Duke Energy) to the U.S. Nuclear Regulatory Commission Document Control Desk, "Proposed Alternative to ASME Boiler & Pressure Vessel Code Section XI Requirements for Repair/Replacement of Service Water (SW) System Buried Piping in Accordance with 10 CFR 50.55a(z)(1)," dated February 24, 2021, ADAMS Accession Number ML21055A797.
2. Letter from John A. Krakuszeski (Duke Energy) to the U.S. Nuclear Regulatory Commission Document Control Desk, "Additional Information Regarding Proposed Alternative to ASME Boiler & Pressure Vessel Code Section XI Requirements for Repair/Replacement of Service Water (SW) System Buried Piping in Accordance with 10 CFR 50.55a(z)(1)," dated May 3, 2021, ADAMS Accession Number ML21123A293.

Ladies and Gentlemen:

On February 24, 2021 (i.e., Reference 1), Duke Energy Progress, LLC (Duke Energy) requested approval to allow the use of the V-Wrap™ Carbon Fiber Reinforced Polymer (CFRP) Composite System for the internal repair of the buried Service Water (SW) System piping at Brunswick Steam Electric Plant (BSEP). This request contained information which is proprietary to Structural Group, Inc. and Simpson Gumpertz & Heger, Inc. Enclosure 10 of the Reference contained affidavits requesting withholding of the proprietary information per 10 CFR 2.390. On May 3, 2021 (i.e., Reference 2), revised affidavits were provided.

This submittal provides a revised affidavit from Structural Group, Inc. The enclosed affidavit supersedes the Structural Group, Inc affidavit provided in Reference 2.

This document contains no new regulatory commitments. Please refer any questions regarding this submittal to Mr. Art Zaremba, Director – Nuclear Fleet Licensing, at (980) 373-2062.

Sincerely,



John A. Krakuszeski

MAT/mat

Enclosure:

Revised Affidavit from Structural Group, Inc

cc:

Ms. Laura Dudes, Regional Administrator, Region II
Mr. Andrew Hon, Project Manager
Mr. Gale Smith, NRC Senior Resident Inspector

Chair - North Carolina Utilities Commission

Revised Affidavit from Structural Group, Inc.



U. S. Nuclear Regulatory Commission Document Control Desk
11555 Rockville Pike
Rockville, MD 20852

RE: Application for Withholding Proprietary Information from Public Disclosure

Ladies and Gentlemen:

Structural Group, Inc. (SGI), has provided certain proprietary information for Brunswick Electric Steam Plant (BSEP) Unit Nos. 1 and 2 in connection with a request by Duke Energy Progress, LLC for authorization from the U. S. Nuclear Regulatory Commission (USNRC) to use an alternative to the requirements of American Society of Mechanical Engineers (ASME), Boiler & Pressure Vessel Code, Section XI, IWA-4221(b), pursuant to 10 CFR 50.55a(z)(1) (Reference 4). This application requests that proprietary information of SGI be protected from public disclosure. The proprietary information for which withholding is being requested in the reference is further identified in the attached affidavit signed by the owner of the proprietary information, SGI, on behalf of itself and any wholly-owned subsidiaries or affiliated companies. An affidavit accompanies this letter, setting forth the basis on which the information may be withheld from public disclosure by the USNRC and addressing with specificity the considerations listed in paragraph (b)(4) of 10 CFR 2.390 (Reference 5) of the USNRC regulations.

A request for withholding proprietary information has been previously approved by the USNRC at the Surry Nuclear Station (Reference 1), South Texas Project (Reference 2) and Arkansas Nuclear One (Reference 3). Accordingly, this letter authorizes the utilization of the accompanying Affidavit by Duke Energy Progress, LLC. Correspondence with respect to the proprietary aspects of the Application or the Affidavit should reference this letter and be addressed to Scott Greenhaus, Executive Vice President, Structural Group, Inc., 10150 Old Columbia Road, Columbia, MD 21046.

Very truly yours,

A handwritten signature in black ink, appearing to read "Scott Greenhaus", with a long horizontal line extending to the right.

Scott Greenhaus, Executive Vice President

REFERENCES:

1. USNRC letter to Virginia Electric & Power Company, "Surry Power Station, Unit Nos. 1 and 2 – Relief from the Requirements of the ASME Code (CAC Nos. MF8987 and MF8988; EPID L-2016-LLR-0019)", (ML17303A068), dated December 20, 2017.
2. USNRC letter to South Texas Project Nuclear Operating Company, "South Texas Project Units 1 and 2 - Proposed Alternative RR-ENG-3-24 to ASME Boiler & Pressure

Code Requirements for Repair of Essential Cooling Water (ECW) System Class 3 Buried Piping", (EPID- L-2019-LLR-0096), dated September 3, 2020.

3. Letter from Entergy Operations, Inc. to USNRC Document Control Desk, " Proposed Alternative to ASME Boiler & Pressure Vessel Code Section XI Requirements for Repair/Replacement of Service Water (SW) System Piping in Accordance with 10 CFR 50.55a(z)(1)," Docket Nos. 50-313 and 50-368, Document No. 0CAN072001.
4. Letter from Duke Energy Progress, LLC to USNRC Document Control Desk, " Proposed Alternative to ASME Boiler & Pressure Vessel Code Section XI Requirements for Repair/Replacement of Service Water (SW) System Piping in Accordance with 10 CFR 50.55a(z)(1)," Docket Nos. 50-325 and 50-324, RA-20-0353.
5. 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding."


Structural Group, Inc.
10150 Old Columbia Road
Columbia, MD 21046

AFFIDAVIT

State of Maryland)

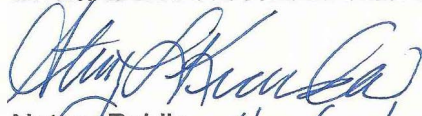
County of Howard)

Before me, the undersigned authority, personally appeared Scott Greenhaus, who, being by me duly sworn according to law, deposes and says that he is authorized to execute this Affidavit on behalf of Structural Group, Inc. and that the averments of fact set forth in this Affidavit are true and correct to the best of his knowledge, information, and belief.

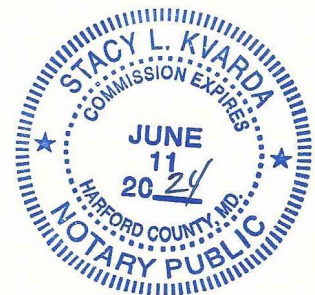


Scott Greenhaus
Executive Vice President

Sworn to and subscribed before me this 7th of June 2021.



Notary Public, Harford County, MD
My Commission Expires 6/11/2024



I, Scott Greenhaus, am Executive Vice President of Structural Group, Inc. (SGI). In my capacity as Executive Vice President I have been specifically delegated the function of reviewing the proprietary information sought to be withheld from public disclosure in conjunction with nuclear plant licensing and rulemaking proceedings and am authorized to apply for its withholding on behalf of SGI and its affiliates.

I am making this Affidavit in conformance with the provisions of 10 CFR 2.390 of the U. S. Nuclear Regulatory Commission (USNRC) regulations and in conjunction with SGI's Application for Withholding Proprietary Information from Public Disclosure accompanying this Affidavit.

I have personal knowledge of the criteria and procedures utilized by SGI in designating information as a trade secret, privileged or as confidential commercial or financial information.

Pursuant to the provisions of paragraph (b)(4) of 10 CFR 2.390 of the USNRC's regulations, the following is furnished for consideration by the USNRC in determining whether the information sought to be withheld from public disclosure should be withheld.

The information sought to be withheld from public disclosure is owned by and has been held in confidence by SGI. Specific portions of the Duke Energy Progress, LLC request which include SGI proprietary information are:

Enclosure 1 – Request for Relief RA-20-0353 for a Proposed Alternative to ASME Boiler & Pressure Vessel Code Section XI Requirements for Repair/Replacement of Service Water System Piping in Accordance with 10 CFR 50.55a(z)(1)

- Section 8 – Proposed Alternative and Basis for Use
- Section 9 – Material Manufacturing and Material Qualification
- Section 10 – Design
- Section 11 – Installation
- Section 12 – QA/QC Program
- Section 13 – Qualifications and Training
- Section 14 – Failure Modes & Effects Analysis (FMEA) and Operating Experience

Enclosure 4 – Material Manufacture and Material Qualification (withheld in its entirety including all attachments)

Enclosure 6 – Sample Procedures (withheld in its entirety including all attachments)

Enclosure 7 – Sample Training Plans (withheld in its entirety including all attachments)

Enclosure 8 – Failure Modes Effects Analysis (withheld in its entirety including all attachments)

Enclosure 9 – Operating Experience (withheld in its entirety including all attachments)

The information is of a type customarily held in confidence by SGI and not disclosed to the public. SGI has a rational basis for determining the types of information customarily held in confidence by it and utilizes a system to determine when and whether to hold certain types of

information in confidence. The application of that system and the substance of that system provides a rational basis for maintaining confidentiality and justifies the USNRC withholding the information from public disclosure.

Under SGI's system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:

1. The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by a competitor of SGI without license constitutes a competitive advantage over other companies.
2. It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
3. Its use by a competitor would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.
4. It reveals cost or price information, production capacities, budget levels, or commercial strategies of SGI, their customers or suppliers.
5. It reveals aspects of past, present, or future development plans funded by SGI or its customer, and programs of potential commercial value to SGI.
6. It contains patentable ideas, for which patent protection may be desirable.

There are sound policy reasons behind the SGI system which include the following:

1. The use of such information by SGI gives it a competitive advantage over competitors. It is, therefore, withheld from disclosure to protect SGI's competitive position.
2. It is information that is marketable in many ways. The extent to which such information is available to competitors diminishes SGI's ability to sell products and services involving the use of the information.
3. Use by a competitor would put SGI at a competitive disadvantage by reducing the competitor's expenditure of resources and capital.
4. Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire process, thereby depriving SGI of its competitive advantage.
5. Unrestricted disclosure would jeopardize the position of prominence of SGI in the world marketplace, and thereby give a market advantage to competitor in those countries in which SGI operates.

6. SGI's capacity to invest corporate assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.

The information is being transmitted to the USNRC in confidence and, under the provisions of 10 CFR 2.390, it is to be received in confidence by the USNRC. The information sought to be protected is not available in public sources and, to the best of our knowledge and belief, available information has not been previously employed in the same original manner or method.

The proprietary information sought to be withheld in this submittal is that which is appropriately marked in Duke Energy Progress, LLC letter to the USNRC, "Proposed Alternative to ASME Boiler & Pressure Vessel Code Section XI Requirements for Repair/Replacement of Service Water (SW) System Piping in Accordance with 10 CFR 50.55a(z)(1)", Docket Nos. 50-325/324, Document No. RA-20-0353 being transmitted by Duke Energy Progress, LLC letter and reflected in SGI's Application for Withholding Proprietary Information from Public Disclosure addressed to the USNRC Document Control Desk. The proprietary information as submitted by SGI is that associated with the "Proposed Alternative to ASME Boiler & Pressure Vessel Code Section XI, Requirements for Repair/Replacement of Service Water (SW) System Piping in Accordance with 10 CFR 50.55a(z)(1)" for Brunswick Electric Steam Plant (BSEP), Unit Nos. 1 and 2, and may be used only for that purpose.

This information is part of that which will enable SGI to:

1. Provide input to Duke Energy Progress, LLC. to provide to the USNRC for review of the Brunswick Electric Steam Plant (BSEP), Unit Nos. 1 and 2, 10 CFR 50.46 submittal; and
2. Provide licensing support for the Duke Energy Progress, LLC submittal.

SGI owns or is permitted to use the proprietary information referenced in this Affidavit under agreements that include Duke Energy Progress, LLC maintaining the confidentiality of such information, as contemplated in this Affidavit.

Further this information has substantial commercial value as follows:

1. The SGI plan to sell the use of this information to their customers for the purpose of installing the V-Wrap™ Carbon Fiber Reinforced Polymer (CFRP) Composite System in safety related piping.
2. That SGI can self-support and defense of the technology to their customers in the licensing process.
3. The information requested to be withheld reveals the distinguishing aspects of a methodology which was developed by SGI.
4. Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of SGI because it would enhance the ability of competitors to provide similar licensing services for commercial power reactors without commensurate expenses.

5. Public disclosure of the information would enable others to use the information to meet USNRC requirements for licensing documentation without purchasing the right to use the information.
6. The development of the technology described in part by the proprietary information is the result of applying the results of many years of experience in an intensive effort by SGI and the expenditure of a considerable sum of money and resources. In order for competitors to duplicate this information, similar technical programs would have to be performed including a significant expenditure money and resources.

Further the deponent sayeth not.