

March 4, 2013

Mr. R. E. Link, Manager
Environmental, Health, Safety, & Licensing
AREVA NP, Inc.
2101 Horn Rapids Road
Richland, WA 99354

SUBJECT: APPROVAL OF AREVA NP, INC., REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR MODEL NUMBER TNF-XI

Dear Mr. Link:

By letter dated November 12, 2012, AREVA NP, Inc. (AREVA) submitted a report pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 71.95 (71.95 report), to report an instance in which the a condition of Certificate of Competent Authority No. USA/0653/AF-96 was not met.

Your letter included an AREVA affidavit signed by Mr. Robert Link, dated November 12, 2012 (an attachment to your letter). The AREVA affidavit requested that the 71.95 report be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390. The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure pursuant to 10 CFR 2.390 because it contained shipping schedules that are commercial and confidential, which, if released, would reveal quantities of material shipped to its customers. In addition, powder particle size data reveals key technical characteristics of their products. AREVA stated that the information, if released, would allow competitors to gain undue insight into AREVA's commercial relationships and production loads, operations, and business.

We have reviewed your application and all the supporting information in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld is proprietary commercial and should be withheld from public disclosure.

Therefore, the information attached to the AREVA letter dated November 12, 2012, marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended. Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents.

R. Link

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If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the U.S. Nuclear Regulatory Commission (NRC). You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified of the date of public disclosure, in advance, which will be a reasonable time thereafter.

If you have any questions regarding this matter, you may contact me at (301) 492-3303.

Sincerely,

/RA/

Bernard H. White, Senior Project Manager
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-9301
TAC No. L30124

R. Link

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Docket No. 71-9301
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EXCEEDED\WITHHOLDING OF PROPRIETARY INFO IN 71.95 REPORT.DOC

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