



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

June 5, 2019

Mr. Thomas Bergman
Vice President, Regulatory Affairs
NuScale Power, LLC
1100 Circle Boulevard, Suite 200
Corvallis, OR 97330

**SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR NUSCALE POWER, LLC**

Dear Mr. Bergman:

By letters to the U.S. Nuclear Regulatory Commission (NRC) included in the list below, NuScale Power, LLC (NuScale) requested that the information included within the letters, or as an enclosure to the letters, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

| Letter Number and Date | Subject | Accession Number | Affidavit |
|----------------------------------|---|-------------------------|------------------|
| LO-0129-64509 April 29, 2019 | "Human Factors Engineering Task Analysis Results Summary Report," RP-0316-17616-P, Revision 2 | ML19119A394 | AF-0219-54510 |
| LO-0219-64511 April 29, 2019 | "Human Factors Engineering Program Management Plan," RP-0914-8534-NP, Revision 5 | ML19119A343 | AF-0219-54512 |
| LO-0219-64513 April 29, 2019 | "Human Factors Engineering Verification and Validation Implementation Plan," RP-0914-8543-P, Revision 5 | ML19119A372 | AF-0219-54514 |
| LO-02190-64505 April 24, 2019 | "Human-System Interface Design Results Summary Report," RP-0316-17619-P, Revision 2, Proprietary Version | ML19119A398 | AF-0219-64506 |
| RAIO-0419-65386 May 1, 2019 | NuScale Supplemental Response to NRC Request for Additional Information eRAI No. 8911, Proprietary | ML19121A600 | AF-0419-65387 |
| LO-0519-65510 May 8, 2019 | "Changes to NuScale Final Safety Analysis Report Tier 2 Section 6.2, 'Containment Systems,' and Technical Report TR-0516-49084, 'Containment Response Analysis Methodology'," Proprietary Version | ML19129A278 | AF-0519-65613 |
| LO-0219-64504 May 2, 2019 | "Human-System Interface Style Guide," ES-0304-1381-P, Revision 3, Proprietary Version | ML19133A296 | AF-0219-64503 |
| LO-0219-64507 May 9, 2019 | "Concept of Operations," RP-0215-10815-P, Revision 3, Proprietary Version | ML19133A293 | AF-0219-64508 |
| LO-0519-65575 May 16, 2019 | "NuScale Instrument Setpoint Methodology Technical Report," TR-0616-49121-P, Revision 2, Proprietary Version | ML19136A411 | AF-0519-65576 |

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| LO-0519-65561 May 16, 2019 | "Nuclear Steam Supply System Advanced Sensor Technical Report," TR-0316-22048, Revision 2, Proprietary Version | ML19137A361 | AF-0519-65562 |
| RAIO-0519-65656 May 22, 2019 | "Methodology for Establishing the Technical Basis for Plume Exposure Emergency Planning Zones at NuScale Small Modular Reactor Plant Sites," TR-0915-17772, Revision 1 | ML19142A460 | AF-0519-65678 |
| RAIO-0519-65643 May 22, 2019 | "NuScale Power, LLC Supplemental Response to NRC Request for Additional Information No. 466 (eRAI No. 9482) on the NuScale Design Certification Application" | ML19143A206 | AF-0519-65644 |

The affidavits state that the submitted information should be considered exempt:

- (a) The information sought to be withheld from public disclosure is owned by NuScale and has been held in confidence by NuScale;
- (b) The information sought to be protected is not available to the public to the best of your knowledge and belief; and
- (c) The information is of the type that would customarily be held in confidence by NuScale. Public disclosure of this information is likely to cause harm to NuScale because it would allow contractors, vendors, and competitors to understand the competitive position of NuScale.

The NRC staff reviewed your application and the material in accordance with the requirements of 10 CFR 2.390. Based upon the statements in the affidavit, we have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the version of the submitted information 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. If the need arises, the NRC staff may send copies of this information to our consultants working in this area. The NRC staff will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

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 NRC staff. You also should understand that the NRC staff 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 staff makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at (301) 415-0546 or via e-mail at Gregory.Cranston@nrc.gov.

Sincerely,

/RA Prosanta Chowdhury for/

Gregory Cranston, Senior Project Manager
Licensing Branch 1
Division of Licensing, Siting,
and Environmental Analysis
Office of New Reactors

Docket No. 52-048

cc: NuScale Power LLC Listserv

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FOR NUSCALE POWER, LLC DATED: June 5, 2019

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ADAMS Accession No.: ML19154A575

*via email

NRO-002

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|---------------|------------------|-------------------|-------------------------------|
| OFFICE | NRO/DLSE/LB1: PM | NRO/DLSE/LB1: LA* | NRO/DLSE/LB1: PM |
| NAME | GCranston | MMoore | GCranston (PChowdhury for) |
| DATE | 5/31/2019 | 5/28/2019 | 6/5/2019 |

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