



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

September 6, 2019

Mr. Gary Peters, Director
Licensing and Regulatory Affairs
Framatome, Inc.
3315 Old Forest Road
Lynchburg, VA 24501

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE IN
AUGUST 6, 2019, PUBLICATION OF BAW-10227, REVISION 1,
SUPPLEMENT 1P-A, REVISION 0, "EVALUATION OF ADVANCED CLADDING
AND STRUCTURAL MATERIAL (M5) IN PWR REACTOR FUEL"
(CAC MF9716/EPID L-2017-TOP-0031)

Dear Mr. Peters:

By letter dated August 6, 2019 (Agencywide Documents Access and Management System Accession (ADAMS) Accession No. ML19220A070), Framatome Inc. (Framatome) submitted a July 25, 2019, affidavit executed by Nathan E. Hottle, Product Licensing Manager. The affidavit requested that the information contained in Topical Report BAW-10227, Revision 1, Supplement 1P-A, Revision 0, "Evaluation of Advanced Cladding and Structural Material (M5) in PWR [Pressurized Water Reactor] Reactor Fuel," be withheld from public disclosure under Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390, "Hearing Requests, Petitions to Intervene, Requirements for Standing, and Conditions."

A nonproprietary copy of the document has been placed in the NRC Public Document Room and added to the NRC Library in ADAMS as Accession No. ML19220A071.

The Framatome affidavit detailed the reasons for withholding the information.

The NRC staff has reviewed the Framatome application and the material in accordance with the requirements of 10 CFR 2.390. Based on the statements in the affidavit, the NRC staff has 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 under 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 its consultants working in this area. The agency will, of course, ensure that the NRC staff 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.

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 can be reached at 301-415-4053 or via e-mail at Jonathan.Rowley@nrc.gov.

Sincerely,

/RA

Jonathan G. Rowley, Project Manager
Licensing Processes Branch
Division of Licensing Projects
Office of Nuclear Reactor Regulation

Docket No. 99902041
Project No. 728

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