



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

December 5, 2019

Ms. Michelle P. Catts
Senior Vice President, Regulatory Affairs
GE-Hitachi Nuclear Energy Americas, LLC
P.O. Box 780 M/C A-10
Wilmington, NC 28401

SUBJECT: GLOBAL NUCLEAR FUEL – AMERICAS (GNF-A), REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(EPID L-2018-TOP-0006)

Dear Ms. Catts:

By letter dated October 29, 2019 (Letter No. M190192, Agencywide Documents Access and Management System (ADAMS) Accession No. ML19302F246), Global Nuclear Fuel (GNF) provided a response to the U.S. Nuclear Regulatory Commission (NRC) staff's request to identify any information that it considers proprietary and provide comments on factual errors or clarity concerns in the Draft Safety Evaluation (SE) for Licensing Topical Report (LTR) NEDE-33885P, Revision 0, "GNF Control Rod Drop Accident (CRDA) Application Methodology." In the October 29, 2019, letter, GNF submitted proprietary and non-proprietary versions of the Draft SE and Comment Summary Table and an affidavit dated October 29, 2019 (ADAMS Accession No. ML19302F249), that was submitted and executed by Dr. Brian R. Moore, General Manager Core and Fuels Engineering, GNF, requesting that the information contained in Draft SE for LTR NEDE-33885P, Revision 0, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390.

The nonproprietary copy of the Draft SE and Comment Summary Table has been placed in the NRC's Public Document Room and are available in ADAMS Accession No. ML19302F248.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure because it is:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GNF-A's competitors without license from GNF-A constitutes a competitive economic advantage over other companies;
- b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

We have reviewed your submittal and the material 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 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, we may send copies of this information to our consultants working in this area. We 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. 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 in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-6695.

Sincerely,

/RA/

Ngola Otto, Project Manager
Licensing Processes Branch
Division of Licensing Projects
Office of Nuclear Reactor Regulation

Docket No. 99901376

cc: See next page

GE-Hitachi Nuclear Energy Americas

Project 712
Docket No. 99901376

cc:

Ms. Michelle P. Catts
Senior Vice President, Regulatory Affairs
GE-Hitachi Nuclear Energy Americas, LLC
P.O. Box 780 M/C A-10
Wilmington, NC 28401
Michelle.Catts@ge.com

Mr. Kent E. Halac
Senior Project Manager, Regulatory Affairs
GE-Hitachi Nuclear Energy Americas, LLC
P.O. Box 780, M/C A-70
Wilmington, NC 28401-0780
Kent.Halac@ge.com

Dr. Brian R. Moore
General Manager, Core & Fuel Engineering
Global Nuclear Fuel-Americas, LLC
P.O. Box 780, M/C A-75
Wilmington, NC 28401-0780
Brian.Moore@ge.com

SUBJECT: GLOBAL NUCLEAR FUEL – AMERICAS (GNF-A), REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(EPID L-2018-TOP-0006) DATED DECEMBER 5, 2019

DISTRIBUTION:

PUBLIC	NOtto, NRR	RidsACRS_MailCTR
RidsResOd	RidsNrrDorl	RLukes, NRR
RidsNrrOd	RidsNrrDorlLlpb	RidsEdoMailCenter
RidsNrrDss	DMorey, NRR	
RidsNrrLADHarrison	RidsOgcMailCenter	

ADAMS Accession No.: ML19311C709

OFFICE	NRR/DORL/LLPB/PM	NRR/DORL/LLPB/LA	NRR/DSS/SNPB	NRR/DORL/LLPB/BC	NRR/DORL/LLPB/PM
NAME	NOtto	DHarrison*	RLukes	DMorey	NOtto
DATE	12/2/19	12/2/19	12/4/19	12/5/19	12/5/19

OFFICIAL RECORD COPY