



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 14, 1997

Mr. J. H. Taylor, Manager
Licensing Services
Framatome Technologies Inc.
P.O. Box 10935
Lynchburg, VA 24506-0935

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR
FRAMATOME TECHNOLOGIES LETTER OF JANUARY 31, 1997

Dear Mr. Taylor:

By letter dated January 31, 1997, you submitted proprietary and nonproprietary letter reports relative to NRC concerns for reactor control cluster assembly (RCCA) insertion problems. The letter reports pertained to fuel assembly design and performance details that supported your conclusion that fuel assemblies made by Framatome Cogema Fuels were not susceptible to RCCA insertion problems. With the letter reports, you submitted an affidavit that referenced:

- Exhibit A: FCF Letter Report to the NRC on RCCA insertion concerns.
- Exhibit B: Statement that the document in Exhibit A contains information considered proprietary by Framatome Technologies Inc. in accordance with criteria c and d of the attached affidavit.

In the enclosed affidavit, you stated that certain identified information in Exhibit A has been held in confidence by Framatome Technologies Inc. and should be considered exempt from mandatory public disclosure pursuant to 10 CFR 2.790 for the following reasons:

- (a) The use of the information by a competitor would decrease their expenditures, in time or resources, in designing, producing or marketing a similar product.
- (b) The information consists of test data or similar data concerning a process, method, component, the application of which results in a competitive advantage to FTI.

By letter dated March 4, 1997, you submitted change pages for both of the January 31 letter reports to reflect your determination that some of the information previously indicated to be proprietary was nonproprietary. Those change pages have been incorporated in the original submittals and are now identified as Revision 1. We have reviewed your submittals in accordance with the requirements of 10 CFR 2.790 and, on the basis of statements by FTI, have determined that the information sought to be withheld does contain trade secrets or proprietary commercial information.

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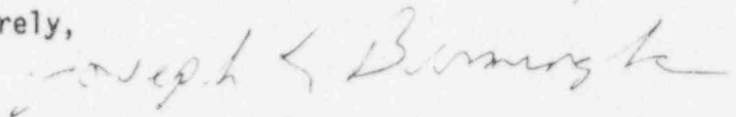
Accordingly, Exhibit A, which is marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended. The original nonproprietary letter report and its revision have been placed in the NRC public document room.

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 disclosure should change in the future such that the information could then be made available for public inspection, you should promptly notify the Nuclear Regulatory Commission (NRC). You should also understand that NRC may have cause to review this determination in the future if, for example, the scope of a Freedom of Information Act request included your information. In all review situations, if the NRC needs additional information from you or 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 please contact me by phone 301/415-2829 or email jlb4@nrc.gov.

Sincerely,



Joseph L. Birmingham, Project Mgr.
Generic Issues and Environmental
Projects Branch
Office of Nuclear Reactor Regulation

cc: Mr. R. B. Borsum
Framatome Technologies Inc.
Suite 525
1700 Rockville Pike
Rockville, MD 20852-1631

Mr. F. McPhatter, Manager
Framatome Cogema Fuels
3315 Old Forest Road
P.O. Box 10935
Lynchburg, VA 24506-0935

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Sincerely,
Original Signed By:
Joseph L. Birmingham, Project Mgr.
Generic Issues and Environmental
Projects Branch
Office of Nuclear Reactor Regulation

cc: Mr. R. B. Borsum
Framatome Technologies Inc.
Suite 525
1700 Rockville Pike
Rockville, MD 20852-1631

Mr. F. McPhatter, Manager
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*see previous concurrence

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