

## AFFIDAVIT

1. My name is Alan B. Meginnis. I am Manager, Product Licensing, for Framatome Inc. and as such I am authorized to execute this Affidavit.
2. I am familiar with the criteria applied by Framatome to determine whether certain Framatome information is proprietary. I am familiar with the policies established by Framatome to ensure the proper application of these criteria.
3. I am familiar with the Framatome Information contained in Enclosure 1 and Enclosure 2 to the Letter NRC:21:010, 'Response to Request for Comment on Draft Safety Evaluation for ANP-10344P, Revision 0, "Framatome Best-estimate Enhanced Option III Methodology",' dated March 15, 2021 and referred to herein as "Documents." Information contained in these Documents has been classified by Framatome as proprietary in accordance with the policies established by Framatome for the control and protection of proprietary and confidential information.
4. These Documents contain information of a proprietary and confidential nature and are of the type customarily held in confidence by Framatome and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in these Documents as proprietary and confidential.
5. These Documents have been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in these Documents be withheld from public disclosure. The request for withholding of proprietary information is made in accordance with 10 CFR 2.390. The information for which withholding from disclosure

is requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information."

6. The following criteria are customarily applied by Framatome to determine whether information should be classified as proprietary:

- (a) The information reveals details of Framatome's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for Framatome.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for Framatome in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by Framatome, would be helpful to competitors to Framatome, and would likely cause substantial harm to the competitive position of Framatome.

The information in these Documents is considered proprietary for the reasons set forth in paragraphs 6(a), 6(b), 6(c), 6(d) and 6(e) above.

7. In accordance with Framatome's policies governing the protection and control of information, proprietary information contained in these Documents have been made available, on a limited basis, to others outside Framatome only as required and under suitable agreement providing for nondisclosure and limited use of the information.

8. Framatome policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 12, 2021

  
Alan B. Meginnis