



June 5, 2009
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U. S. Nuclear Regulatory Commission
Director, Office of Nuclear Material
Safety and Safeguards
Attn: Document Control Desk
Washington, D.C. 20555

Gentlemen:

Subject: Response to Request For Additional Information Regarding the Review of the AREVA NP Inc., Fuel Fabrication Facility Supercritical CO₂ License Amendment Application; License No. SNM-1227; Docket No. 70-1257 (TAC L32689)

On May 6, 2009, AREVA NP (AREVA) received from the NRC, a Request For Additional Information (RAI) relative to the License Amendment Application AREVA submitted on June 12, 2008 in support of the Supercritical CO₂ Extraction process.

The attachment to this letter provides the requested information with two exceptions. Two questions, Radiation Protection question 3, and Criticality Safety question 7, could not be completely addressed within the prescribed 30 days. The responses and associated attachments contain proprietary/ business sensitive information and AREVA requests that the NRC handle it as such.

Responses to these two questions, Radiation Protection question 3, dealing with the release of pressurized materials resulting in exposure by way of injection, and Criticality Safety question 7, dealing with proposed IROFS 6910 and 6911, along with a redacted version of the RAI responses will be provided to the NRC by July 15, 2009.

Please contact me on 509-375-8409 if you have questions or need additional assistance regarding this response.

Very truly yours,

Robin D Manning for

R. E. Link, Manager
Environmental, Health, Safety & Licensing

/mah

Enclosures

cc: Mr. Rafael Rodriguez,
U.S. Nuclear Regulatory Commission
Fuel Manufacturing Branch
Mail Stop EBB-2-C-40
Rockville, MD 20852-2738

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STATE OF WASHINGTON)
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COUNTY OF BENTON) ss

Calvin D. Manning, being duly sworn on oath, states as follows:

1. I am employed by AREVA NP Inc. (AREVA NP) as Manager, Nuclear Criticality Safety in Richland, Washington. I am responsible for the overall administration of the safety programs at AREVA NP's Richland, Washington nuclear fuel fabrication facility, including regulatory licensing and permitting. This affidavit is based on my first hand, personal knowledge and is submitted in my capacity as Manager, Environmental, Health, Safety and Licensing.

2. I am familiar with the contents of the "Application for Amendment to License No. SNM-1227; Installation of Supercritical CO₂ Uranium Recovery Process" package and NRC Requests for Additional Information (RAIs) associated with that package. This RAI response has been classified and designated as "Proprietary" by AREVA NP in accordance with the document control system and policies established by AREVA NP for the control and protection of proprietary and confidential information.

3. AREVA NP is engaged in the business of designing and manufacturing nuclear fuel assemblies for commercial nuclear reactors. Within the United States, there are two additional firms that design and manufacture nuclear fuel for commercial nuclear reactors and there are several other companies outside of the United States that engage in the same business as AREVA NP. Competition among these companies including AREVA NP is fierce and manufacturing costs of the nuclear fuel are critical to the maintenance of market share and to the growth of market share among utility customers.

4. The RAI response package contains commercial information of a confidential nature that is not available in public sources or available to the public. This information contained in the license amendment package is commercial and confidential because it:

- A. Reveals distinguishing aspects of AREVA NP's manufacturing processes by relating sequences of operations and/or sub-operations to optimize the efficiency and performance of manufacturing operations which a competitor within the field of nuclear fuel manufacturing may adapt for their own processes, reducing the competitor's expenditure of resources to achieve the same efficiencies, thereby gaining a competitive advantage to the disadvantage of AREVA NP.
- B. Reveals the use of process chemical additives for the enhancement of chemical processes which are believed to be unique in the industry both in terms of type and application, which if revealed to a competitor would provide for an unfair competitive advantage by reducing any expenditure by the competitor to develop and test the same concepts.
- C. Reveals aspects of privately funded development of process controls and parameters derived by AREVA NP over the course of optimizing the performance of waste treatment and other processes.
- D. Reveals technical rationale developed by AREVA NP relating to plant layout, structure, process flow and other technical information which a competitor could readily use without expenditure of funds and replicate in its facilities thereby gaining a competitive advantage to the disadvantage of AREVA NP.

5. AREVA NP Inc. will suffer considerable competitive harm if the contents of the license amendment package are made available to AREVA NP domestic and international competitors. Finally, this material cannot be reasonably segregated from other material which may not meet the criteria set forth in 10 CFR § 2.790 and 10 CFR § 2.390.

6. Additionally, the contents of the RAI response package have been reviewed under the provisions of 10 CFR § 2.790 (d). The contents of the license amendment package contain information relating to AREVA NP's physical protection, location of radioactive materials, site specific design of structures and equipment, vulnerability assessments, accident analyses, safety analyses, and risk assessments, material control and accounting program for special nuclear materials that has not otherwise designated as Safeguards Information or Restricted Data. Further, this material cannot be reasonably segregated from other material that may not meet the criteria set forth in 10 CFR § 2.790 (d).

Dated this 5th day of June, 2009.



Calvin D. Manning
Manager, Nuclear Criticality Safety

STATE OF WASHINGTON)
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COUNTY OF BENTON) SS

On this 5th day of June, 2009, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Calvin D. Manning to me known to be the Manager, Nuclear Criticality Safety of AREVA NP Inc., the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.



Mary Anne Heilman
Notary Public in and for the State of Washington,
residing at Kennewick, Washington.
MY COMMISSION EXPIRES: June 9, 2012

