



June 6, 2011  
NRC:11:059

Document Control Desk  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

**Response to Request for Comment on Draft Audit Report**

Ref. 1: Letter, Holly Cruz (NRC) to Pedro Salas (AREVA NP Inc.), "Draft Audit Report for Brunswick Steam Electric Plant Units 1 and 2, Request for License Amendments Addition of Analytical Methodology to Technical Specification 5.6.5.b Docket Nos. 50-325 AND 50-324 (TAC NO. ME4650)," May 9, 2011.

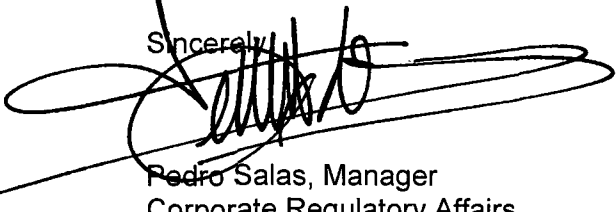
In Reference 1, the NRC issued a draft Audit Report following the November 2010 NRC audit of the ATRIUM 10XM fuel design, requesting AREVA NP Inc. (AREVA NP) review the document for proprietary material.

AREVA NP reviewed the draft Audit Report and determined it contains information that was identified in the supporting reports and documents as being proprietary information. A marked-up copy of the draft Audit Report is provided in Attachment A showing the proprietary information (enclosed in brackets) and identifying minor editorial changes/clarifications. Attachment B provides a summary table of the proprietary information and editorial changes/clarifications.

AREVA NP considers some of the material contained in the report to be proprietary. As required by 10 CFR 2.390(b), an affidavit is enclosed to support the withholding of the information from public disclosure. A non-proprietary version of the attachments is not provided as the final Audit Report will be issued with proprietary and non-proprietary versions.

AREVA NP appreciates this opportunity to offer clarifying comments. If you have any questions related to this proprietary submittal, please contact Mr. Alan B. Meginnis, Product Licensing Manager at 509-375-8266 or by e-mail at [alan.meginnis@areva.com](mailto:alan.meginnis@areva.com).

Sincerely,



Pedro Salas, Manager  
Corporate Regulatory Affairs  
AREVA NP Inc.

YG01  
NRR

**AREVA INC.**

3315 Old Forest Road, P.O. Box 10935, Lynchburg, VA 24506-0935  
Tel.: 434 832 3000 [www.areva.com](http://www.areva.com)

Enclosures

cc: H. D. Cruz  
Project 728

## AFFIDAVIT

STATE OF WASHINGTON    )  
                                  ) ss.  
COUNTY OF BENTON     )

1.       My name is Alan B. Meginnis. I am Manager, Product Licensing, for AREVA NP Inc. and as such I am authorized to execute this Affidavit.

2.       I am familiar with the criteria applied by AREVA NP to determine whether certain AREVA NP information is proprietary. I am familiar with the policies established by AREVA NP to ensure the proper application of these criteria.

3.       I am familiar with the AREVA NP information contained in the Attachments to the AREVA Letter to the NRC, NRC:11:059 entitled, "Response to Request for Comment on Draft Audit Report," dated June 6, 2011 and referred to herein as "Documents." Information contained in these Documents has been classified by AREVA NP as proprietary in accordance with the policies established by AREVA NP for the control and protection of proprietary and confidential information.

4.       This Document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by AREVA NP and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in this Document as proprietary and confidential.

5.       This Document has been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in this Document 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 AREVA NP to determine whether information should be classified as proprietary:

- (a) The information reveals details of AREVA NP'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 AREVA NP.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA NP in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by AREVA NP, would be helpful to competitors to AREVA NP, and would likely cause substantial harm to the competitive position of AREVA NP.

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

7. In accordance with AREVA NP'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 AREVA NP only as required and under suitable agreement providing for nondisclosure and limited use of the information.

8. AREVA NP 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.

Art M...

SUBSCRIBED before me this 6<sup>th</sup>  
day of June, 2011.

Susan K McCoy

Susan K. McCoy  
NOTARY PUBLIC, STATE OF WASHINGTON  
MY COMMISSION EXPIRES: 1/10/12

