

August 1, 2011

Mr. Scott P. Murray, Manager  
Licensing and Liabilities COE  
Global Nuclear Fuel - Americas  
P.O. Box 780  
Wilmington, NC 28402

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE –  
GENERAL ELECTRIC-HITACHI'S JULY 15, 2011, PRESENTATION REGARDING  
THE DECOMMISSIONING FUNDING PLAN

Dear Mr. Murray:

By letter dated July 25, 2011, you requested that information in a presentation to the U.S. Nuclear Regulatory Commission's (NRC's) staff on July 15, 2011, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390. Your affidavit stated that the information should be considered exempt from mandatory public disclosure for the following reasons:

- The information sought to be withheld from public disclosure is owned and has been held in confidence by General Electric-Hitachi (GEH).
- The information contained in the document has been held in confidence by the licensee, in that it contains trade secrets or commercial information as defined in 10 CFR 2.390(a).
- The disclosure of this information to the public would likely cause substantial harm to the competitive advantage held by the licensee because it contains distinguishing aspects of a process, methodology, or components which provide a competitive advantage in product optimization or marketability.
- Unrestricted disclosure would jeopardize the position of prominence of GEH in the world market, and thereby give a market advantage to the competition of those countries.

We reviewed your application and submittal in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, determined that the submitted information sought to be withheld contains proprietary, commercial information. Therefore, the version of the submitted information marked as proprietary will be withheld from the public disclosure pursuant to 10 CFR 2.390(b), 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 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 should also 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.

In accordance with 10 CFR, §2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System component of the NRC's Agencywide Document Access Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions regarding this matter, please contact me at (301) 492-3189 or via e-mail to [Christopher.Ryder@nrc.gov](mailto:Christopher.Ryder@nrc.gov).

Sincerely,

**/RA/**

Christopher Ryder, Project Manager  
Fuel Manufacturing Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 70-754  
SNM License No. SNM-960

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 should also 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.

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If you have any questions regarding this matter, please contact me at (301) 492-3189 or via e-mail to [Christopher.Ryder@nrc.gov](mailto:Christopher.Ryder@nrc.gov).

Sincerely,

**/RA/**

Christopher Ryder, Project Manager  
Fuel Manufacturing Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 70-754  
SNM License No. SNM-960

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