

October 18, 2011

James F. Harrison
Vice President, Fuel Licensing, Regulatory Affairs
GE Hitachi Nuclear Energy
P.O. Box 780, M/C A-55
Wilmington, NC 28401

SUBJECT: GE-HITACHI NUCLEAR ENERGY AMERICAS, LLC - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR MOLY-99
PROJECT (TAC NO. ME1401)

Dear Mr. Harrison:

By letter dated August 12, 2011, you submitted an affidavit dated August 12, 2011, executed by you, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390:

Enclosure 1 of GEH Letter, MFN 11-211, J. F. Harrison (GEH) to Document Control Desk (USNRC), Subject: Moly-99 Project Update, August 15, 2011 Presentation (August 12, 2011)

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in the Agencywide Documents Access and Management System (ADAMS) as Accession No. ML112240806.

The affidavit states that the submitted document should be considered exempt from mandatory public disclosure because it contains:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GEH's competitors without license from GEH constitutes a competitive economic advantage over other companies;
- b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted document sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

J. Harrison

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Therefore, Enclosure 1, "Moly-99 Project Update Meeting, August 15, 2011 Presentation, dated August 12, 2011" of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and 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 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 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 also should 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.

If you have any questions regarding this matter, I may be reached at 301-415-1210.

Sincerely,

/RA/

Marcus H. Voth
Research and Test Reactors Project Branch
Office of Nuclear Reactor Regulation

Project No.: PROJ0787

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