

November 18, 2016

Mr. Gary Peters
Director, Regulatory Affairs
AREVA Inc.
3315 Old Forest Road
Lynchburg, VA 24501

SUBJECT: APPROVAL OF REQUEST TO WITHHOLD PROPRIETARY INFORMATION
FROM PUBLIC DISCLOSURE

Dear Mr. Peters:

I am responding to your letter dated September 16, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML16263A305), providing AREVA Inc.'s response to a request for additional information (RAI) regarding AREVA's request for U.S. Nuclear Regulatory Commission (NRC) consent to transfer licenses. In your letter, you included an affidavit dated September 15, 2016, executed by Mr./Ms. Gayle Elliot, Deputy Director, Licensing and Regulatory Affairs, requesting the NRC to withhold the information in attachment 7 from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Paragraph 2.390(b).

The affidavit stated that the information submitted in attachment 7 of the September 16, 2016, letter should be considered exempt from mandatory public disclosure for the following reasons:

1. The information sought to be withheld is of the type customarily held in confidence by AREVA and not made available to the public.
2. The information reveals details of AREVA's research and development plans and programs or their results.
3. 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.
4. 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.
5. The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA in product optimization or marketability.
6. The information is vital to a competitive advantage held by AREVA, would be helpful to competitors to AREVA, and would likely cause substantial harm to the competitive position of AREVA.

We reviewed the information provided in your September 16, 2016, letter and the affidavit requesting to withhold this information in accordance with the requirements of 10 CFR 2.390(b). On the basis of your statements, we have determined that the submitted information sought to be withheld contains proprietary, trade secrets, and commercial or financial information and should be withheld from public disclosure.

Therefore, the document listed above, marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(4). 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 the date of public disclosure, which will be a reasonable time thereafter.

In accordance with Title 10 of the *Code of Federal Regulations* 2.390, "Public Inspections, Exemptions, Requests for Withholding," of NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the publicly available records component of NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If you have any questions regarding this matter, I may be reached at 301-415-7827 or via e-mail to Osiris.Siurano-Perez@nrc.gov.

Sincerely,

/RA/

Osiris Siurano-Perez, Project Manager
Enrichment and Conversion Branch
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket Nos. 04002259, 07007015,
11005864, 11005211,
11006019

Material License Nos. SUA-672, SNM-2015

Construction Authorization No. CAMOX-001

Export Licenses: XSNM3643, XSNM3722,
XSOU8780

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/RA/

Osiris Siurano-Perez, Project Manager
Enrichment and Conversion Branch
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
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ADAMS Accession Number: ML16321A473

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DATE	11/18/16	11/18/16	11/18/16

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