



U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555

DCS-NRC-000443  
19 January 2017

Subject: Docket Number 070-03098  
CB&I AREVA MOX Services  
Mixed Oxide Fuel Fabrication Facility  
Submittal of Summary of Facility Changes during 2016

CB&I AREVA MOX Services, LLC (MOX Services) is submitting to the U.S. Nuclear Regulatory Commission (NRC) a summary of changes which did not require pre-approval in accordance with 10 CFR 70.72 (d)(2) and Chapter 16 of the License Application (LA).

In addition, MOX Services has prepared a revised LA and Integrated Safety Analysis Summary (ISAS) (provided in separate submittals) which includes the changes that impact these documents that did not require prior NRC approval. MOX Services did not identify any changes to the LA or ISAS that would have required an amendment to either document.

The enclosed is a brief summary of changes that have been made since the last LA and ISAS update that was submitted in 2016. This summary includes changes to the records required by 10 CFR 70.62(a)(2); i.e., changes to process safety information, integrated safety analysis and management measures. In addition, the summary includes changes that potentially impact the LA and MOX Project Quality Assurance Plan as discussed in revised LA Chapter 16, Sections 16.2.3 and 16.2.5.

The enclosed summary of changes should be withheld from public disclosure pursuant to 10 CFR 2.390 for security concerns and content of proprietary information. An affidavit attesting to the proprietary nature of the summary is provided as Enclosure (2).

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If you have any questions, please feel free to contact me at (803) 442-6485 or our Licensing and Nuclear Safety Manager, Dealis Gwyn at (803) 819-2780.

Sincerely,

  
David Del Vecchio  
President and Project Manager

Enclosures:

- (1) Summary of Changes – 10 CFR 70.72 and LA Chapter 16 Summary of Changes during 2016 (Proprietary/Security Related)
- (2) Affidavit Pursuant to 10 CFR 2.390(b)

cc:  
David Tiktinsky, USNRC/HQ

cc: w/o Enclosures

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EDMS: Corresp\Outgoing\NRC\2017 NRC

Enclosure 1

Summary of Facility Changes  
10 CFR 70.72 and LA Chapter 16 Summary of Changes during 2016

Proprietary / Security Related

Enclosure 2

Affidavit Pursuant to 10 CFR 2.390(b)

## **AFFIDAVIT PURSUANT TO 10 CFR 2.390(b) (1)**

1. I am the President and Project Manager of CB&I AREVA MOX Services, LLC (MOX Services), and as such have the responsibility for reviewing information sought to be withheld from public disclosure in connection with design and licensing of the Mixed Oxide Fuel Fabrication Facility (MFFF); and I am authorized on the part of MOX Services to apply for this withholding.
2. I am making this affidavit in conformance with the provisions of 10 CFR 2.390 of the regulations of the Nuclear Regulatory Commission (NRC) and in conjunction with MOX Services' application for withholding that accompanies this affidavit.
3. I have knowledge of the criteria used by MOX Services in designating information as proprietary or confidential.
4. Pursuant to the provisions of paragraph (b) (4) of 10 CFR 2.390, the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.
  - (i) The information sought to be withheld from public disclosure is owned by MOX Services, its partners, and/or affiliates, and has been held in confidence by the same.
  - (ii) The information is of a type that would customarily be held in confidence by MOX Services, its partners, and/or affiliates. The information consists of design details and processing methods and mechanisms relative to a method of processing that provides a competitive advantage to MOX Services, its partners, and/or affiliates.
  - (iii) The information was transmitted to the NRC in confidence and, under the provisions of 10 CFR 2.390; it is to be received in confidence by the NRC.
  - (iv) The information sought to be protected is not available in public to the best of our knowledge and belief.
  - (v) The proprietary information sought to be withheld in this submittal is marked. This information describes MOX Services' design for the MFFF. This information enables MOX Services, its partners, and/or affiliates to support the license application for the MFFF.

(vi) The proprietary information sought to be withheld from public disclosure has substantial commercial value to MOX Services, its partners, and/or affiliates.

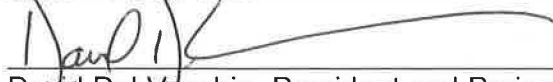
(a) It allows MOX Services to reduce vendor and consultant expenses associated with supporting the licensing of fuel fabrication plants.

(b) MOX Services may sell the information to nuclear utilities, vendors, and consultants for the purpose of supporting the licensing of fuel fabrication plants.

(c) The subject information could only be duplicated by competitors at similar expense to that incurred by MOX Services, its partners, and/or affiliates.

5. Public disclosure of this information is likely to cause harm to MOX Services, its partners, and/or affiliates because it would allow competitors in the nuclear industry to benefit from the results of a significant development program without requiring commensurate expense or allowing MOX Services, its partners, and/or affiliates to recoup a portion of its expenditures or benefit from the sale of the information.

David Del Vecchio, being duly sworn, states that he is the person who subscribed his name to the foregoing statement, and that all the matters and facts set forth within are true and correct to the best of his knowledge.

  
\_\_\_\_\_  
David Del Vecchio, President and Project Manager

Subscribed and sworn to on this 19<sup>th</sup> day of January, 2017

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

21 October 2024

