



DCS-NRC-000449  
01 March 2017


Document Control Desk  
Director of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Subject: Docket Number 070-03098  
CB&I AREVA MOX Services  
Mixed Oxide Fuel Fabrication Facility  
Submittal of the February 2017 Revision of the Material Control and Accounting  
(MC&A) Plan

CB&I AREVA MOX Services, LLC (MOX Services) is submitting to the U.S. Nuclear Regulatory Commission (NRC) the revised Material Control and Accounting (MC&A) Plan for review and approval. Enclosures (1) and (2) should be withheld from public disclosure pursuant to 10 CFR 2.390 for security concerns and proprietary and export controlled information content. An affidavit attesting to the proprietary nature of Enclosure (2) is provided in Enclosure (3).

MOX Services respectfully requests a timely review and approval of the MC&A changes by 30 September 2017 in support of ongoing project activities. If you have any questions, please feel free to contact me at (803) 442-6485 or Dealis Gwyn, Licensing and Nuclear Safety Manager, at (803) 819-2780.

Sincerely,

  
David Del Vecchio  
President and Project Manager

NMS 520

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Enclosures:

- (1) Material Control and Accounting Plan Description of Changes
- (2) Material Control and Accounting (MC&A) Plan (Security Related Information)
- (3) Affidavit Pursuant to 10 CFR 2.390(b)

cc: (w/ encl.)

David H. Tiktinsky, USNRC/HQ

cc (w/o encl.):

Scott Cannon, NNSA/SRS  
Thomas G. Clark, MOX Services  
Michael Ernstes, USNRC/RII  
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EDMS: Corresp\Outgoing\NRC\2017 NRC

~~Proprietary, Statutory and Security Related Information~~  
~~Withhold from Public Disclosure Under 10 CFR 2.390~~

Enclosure 1

Material Control and Accounting Plan  
Description of Changes

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Enclosure 3

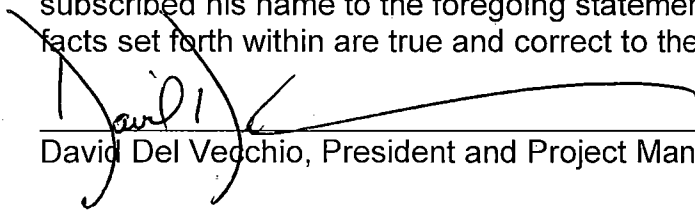
Affidavit Pursuant to 10 CFR 2.390(b)

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

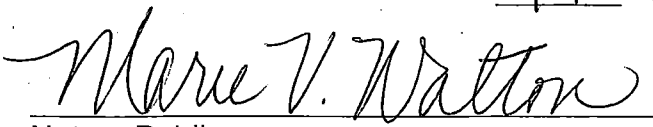
1. I am the President and Project Manager of CB&I AREVA MOX Services, LLC (MOX Services), and as such have the responsibility for reviewing information sought to be withheld from public disclosure in connection with design and licensing of the Mixed Oxide Fuel Fabrication Facility (MFFF); and I am authorized 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 certain information as proprietary and export controlled information (ECI).
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 1st day of March, 2017

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

My Commission Expires:

21 Oct 2024

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