

May 15, 2017

Mr. Jerald G. Head
Senior Vice President, Regulatory Affairs
GE-Hitachi Nuclear Energy
P.O. Box 780 M/C A-18
Wilmington, NC 28401

SUBJECT: GLOBAL NUCLEAR FUEL REQUEST FOR WITHHOLDING INFORMATION
FROM PUBLIC DISCLOSURE

Dear Mr. Head:

By letter dated April 6, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17096A515), an affidavit dated March 29, 2017, was executed and submitted by Mr. Brian R. Moore, General Manager, Core & Fuel Engineering, GNF, requesting that the information contained in Enclosure 1 of the Global Nuclear Fuel's (GNF) letter M170030, "GNF3 Generic Compliance with NEDE-24011-P-A (GESTAR II), NEDC-33879P, March 2017 and GEXL21 Correlation for GNF3 Fuel, NEDC-33880P," March 2017, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. The report contained in Enclosure 1 to the above letter is titled as follows:

GNF3 Generic Compliance with NEDE-24011-P-A (GESTAR II), NEDC-3387P,
March 2017

By the same letter indicated above, an affidavit dated April 5, 2017, was executed and submitted by Mr. Brian R. Moore, General Manager, Core & Fuel Engineering, GNF, requesting that the information contained in Enclosure 4 of letter indicated above be withheld from public disclosure pursuant to 10 CFR, Part 2, Section 2.390. The report contained in Enclosure 4 to the above letter is titled as follows:

GEXL21 Correlation for GNF3 Fuel, NEDC-33880P, March 2017

A nonproprietary copy of these documents have been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the ADAMS Electronic Library.

The affidavits stated that the submitted information should be considered exempt from mandatory public disclosure because it is:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GNF-A's competitors without license from GNF-A 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 your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version of the submitted information marked as proprietary in the two documents listed 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 301-415-1002.

Sincerely,

/RA/

Joseph A. Golla, Project Manager
Licensing Processes Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Project No. 712

cc: See next page

GE-Hitachi Nuclear Energy Americas

Project No. 712

cc:

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NRR-106

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