



# HITACHI

## GE Hitachi Nuclear Energy

Scott P. Murray  
Manager, Facility Licensing

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~~Proprietary Information Notice~~

~~This letter forwards proprietary information to be withheld from public disclosure in accordance with 10CFR2.390. Upon removal of Attachment 5 the balance of this letter may be made public.~~

M170164

June 22, 2017

Chris Allen, Project Manager  
Spent Fuel Licensing Branch  
Division of Spent Fuel Management  
U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk

Subject: GEH Model 2000 Package Letter Authorization Revision Request - DRAFT

Reference: 1) Model No. 2000 Shipping Cask-Certification Number 9228 Rev. 26, Docket Number 71-9228, Package Identification USA/9228/B(U)F-96

Dear Mr. Allen:

Per our discussion yesterday, attached is a draft revision request.

Also attached the revised GE2000 HPI Material Basket Assembly drawing, 001N8424 Rev 2. This is the first one in a series of six for the GE2000 HPI, as listed in Attachment 4 to the letter.

Please note that the drawing contains company proprietary information to be withheld from public disclosure.

Please contact Ted Draffen at (910) 819-5760 or me if there are any questions regarding this request.

Sincerely,

  
Scott P. Murray, Manager  
Facility Licensing

Commitments: None

Attachments:

1. Affidavit
2. Draft Model 2000 Letter Authorization Request Letter
3. Model 2000 Letter Authorization Revised Condition Change Table
4. Model 2000 Letter Authorization Revised Drawing Change Table
5. Model 2000 Material Basket Assembly Licensing Drawing 001N8424, Rev 2 (Contains Proprietary Information)

Cc: SPM 17-028

Attachment 1

**AFFIDAVIT**

I, **Scott P. Murray**, state as follows:

- (1) I am the Manager, Facility Licensing of GE-Hitachi Nuclear Energy (GEH) and have been delegated the function by GEH of reviewing the information described in paragraph (2) which is sought to be withheld, and have been authorized to apply for its withholding.
- (2) The information sought to be withheld is contained in Attachment 4 to GEH's letter, SPM 17-028, Scott P. Murray to Chris Allen, Spent Fuel Management entitled GEH Model 2000 Package Letter Authorization Revision Request – DRAFT. GEH proprietary information is contained in Attachment 4 and is identified by the statement "GE Hitachi Proprietary Information".
- (3) In making this application for withholding of proprietary information of which it is the owner or licensee, GEH relies upon the exemption from disclosure set forth in the Freedom of Information Act (FOIA), 5 USC Sec. 552(b)(4), and the Trade Secrets Act, 18 USC Sec. 1905, and NRC regulations 10 CFR 9.17(a)(4), and 2.390(a)(4) for trade secrets (Exemption 4). The material for which exemption from disclosure is here sought also qualifies under the narrower definition of trade secret, within the meanings assigned to those terms for purposes of FOIA Exemption 4 in, respectively, Critical Mass Energy Project v. Nuclear Regulatory Commission, 975 F2d 871 (DC Cir. 1992), and Public Citizen Health Research Group v. FDA, 704 F2d 1280 (DC Cir. 1983).
- (4) The information sought to be withheld is considered to be proprietary for the reasons set forth in paragraphs (4)a. and (4)b. Some examples of categories of information that fit into the definition of proprietary information are:
  - 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 GEH and/or other companies.
  - b. Information that, if used by a competitor, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.
- (5) To address 10 CFR 2.390(b)(4), the information sought to be withheld is being submitted to the NRC in confidence. The information is of a sort customarily held in confidence by GEH, and is in fact so held. The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by GEH, not been disclosed publicly, and not been made available in public sources. All disclosures to third parties, including any required transmittals to the NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary and/or confidentiality agreements that provide for maintaining the information in confidence. The initial designation of this information as proprietary information, and the subsequent steps taken to prevent its unauthorized disclosure are as set forth in the following paragraphs (6) and (7).
- (6) Initial approval of proprietary treatment of a document is made by the manager of the originating component, who is the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge, or who is the person most likely to be subject to the terms under which it was licensed to GEH. Access to such documents within GEH is limited to a "need to know" basis.
- (7) The procedure for approval of external release of such a document typically requires review by the staff manager, project manager, principal scientist, or other equivalent authority for technical content, competitive effect, and determination of the accuracy of the proprietary designation. Disclosures outside GEH are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary and/or confidentiality agreements.

Attachment 1

- (8) The information identified in paragraph (2) above is classified as proprietary because it contains details of GEH's processes, design and manufacturing facilities.
- (9) Public disclosure of the information sought to be withheld is likely to cause substantial harm to GEH's competitive position and foreclose or reduce the availability of profit-making opportunities. The facility design and licensing methodology is part of GEH's comprehensive safety and technology base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and analytical methodology and includes development of the expertise to determine and apply the appropriate evaluation process. In addition, the technology base includes the value derived from providing analyses done with NRC-approved methods.

The research, development, engineering, analytical and NRC review costs comprise a substantial investment of time and money by GEH. The precise value of the expertise to devise an evaluation process and apply the correct analytical methodology is difficult to quantify, but it clearly is substantial. GEH's competitive advantage will be lost if its competitors are able to use the results of the GEH experience to normalize or verify their own process or if they are able to claim an equivalent understanding by demonstrating that they can arrive at the same or similar conclusions.

The value of this information to GEH would be lost if the information were disclosed to the public. Making such information available to competitors without their having been required to undertake a similar expenditure of resources would unfairly provide competitors with a windfall, and deprive GEH of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment in developing and obtaining these very valuable analytical tools.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 22nd day of June, 2017.

*Scott P. Murray*  
 Scott P. Murray  
 GE Hitachi Nuclear Energy

STATE OF NORTH CAROLINA     )  
   )  
 COUNTY OF NEW HANOVER     )

Subscribed and sworn to me, a Notary Public, in and for the State of North Carolina, this 22<sup>nd</sup> day of June, 2017.

*Ulene P. Latham*  
 \_\_\_\_\_  
 Notary Public in and for the  
 State of North Carolina



My Commission Expires: June 23, 2018

Attachment 2

June 22, 2017

Chris Allen, Project Manager  
Spent Fuel Licensing Branch  
Division of Spent Fuel Management  
U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk

Subject: GEH Model 2000 Package Letter Authorization Revision Request - DRAFT

References:

- 1) Model No. 2000 Shipping Cask-Certification Number 9228 Rev. 26, Docket Number 71-9228, Package Identification USA/9228/B(U)F-96
- 2) GEH Model 2000 Package Authorization Request, 12/12/14 (ML14351A508)
- 3) GEH Model 2000 Package Revised Authorization Request, 9/25/15 (ML15268A483, ML15268A480, ML15268A474, ML15268A456, ML15268A449, ML15268A437, ML15268A438)
- 4) GEH Model 2000 Package Revised Authorization Request, 10/16/15 (ML15289A176, ML15289A 177)
- 5) GEH Model 2000 Package Authorization Request Revised Pages and RAJ Responses, 1/15/16 (ML 15268A437, ML15268A438, ML15268A449, ML15268A451, ML15268A456, ML15268A474, ML 15268A480, ML15268A483)
- 6) NRC Authorization for Shipment of the Model 2000 Package Using High Performance Insert, 2/11/16 (ML16043A018)
- 7) GEH Request for Renewal- Certificate of Compliance (CoC) No. 9228 for the Model 2000 Package, 4/28/16
- 8) GEH Model 2000 Package Letter Authorization Request, 6/25/16 (ML15289A176, ML15289A177)
- 9) NRC Authorization for Shipment of Model 2000 Package Using High Performance Insert, 1/23/17

Dear Mr. Allen:

GE Hitachi Nuclear Energy (GEH) hereby submits a request to revise an NRC letter authorization for the Model No. 2000 package issued January 23, 2017 (Reference 9). This approval allows use of Configuration 1 for the shipment of Co-60 source rods with a decay heat range between 0 and 1500 watts to the hot cell facility in Vallecitos California.

A revision to this letter authorization is needed because certain conditions and timeframe of upcoming Co-60 transports is not supported by the current authorization. This request will update acceptance test criteria in Authorization Condition 8 described in Attachment 1 to this letter and provide drawing revisions listed in Authorization Condition 9 described in Attachment 2 to this letter.

The next Co-60 shipment using the Model 2000 package is scheduled for early August 2017 and additional shipments are expected through December 2017. For this reason, GEH also requests NRC revise the current authorization expiration date from August 31, 2017 until December 31, 2017.

USNRC  
M170164  
June 22, 2017

Please contact Ted Draffen at (910) 819-5760 or me if there are any questions regarding this request.

Sincerely,

Scott P. Murray, Manager  
Facility Licensing

Commitments: None

Attachments:

6. Model 2000 Letter Authorization Revised Condition Change Table
7. Model 2000 Letter Authorization Revised Drawing Change Table

Attachment 3

Changes Affecting Model 2000 Letter Authorization Request Condition			
Condition	Condition Description	Description of Change	Reason for Change
8	The acceptance tests and maintenance program of the package include the option of confirmatory gamma scan of the HPI.	Added confirmatory gamma scan of the HPI	Post-fabrication assurance

Attachment 4

Changes Affecting Model 2000 Letter Authorization Request Drawings			
Drawing Number	Drawing Description	Description of Change	Reason for Change
001 N8422G001, Rev. 2	HPI and Material Basket Licensing Drawing	Rev. 1 to 2	Dimension references updated
001 N8423G001, Rev. 2	HPI Licensing Drawing	Rev. 1 to 2	Dimension references updated
001 N8424G001, Rev. 2	HPI Material Basket Assembly Licensing Drawing	Rev. 1 to 2	Dimension references updated
001 N8425G001, Rev. 2	HPI Body Licensing Drawing	Rev. 1 to 2	Dimension references updated
001 N8427G001, Rev. 2	Top Plug Assembly Licensing Drawing	Rev. 1 to 2	Dimension references updated
001 N8428G001, Rev. 2	HPI Bottom Plug Assembly Licensing Drawing	Rev. 1 to 2	Dimension references updated