

June 26, 2017

Mr. Jerald G. Head
Senior Vice President, Regulatory Affairs
GE Hitachi Nuclear Energy
3901 Castle Hayne Road
P.O. Box 780 M/C A-18
Wilmington, NC 28402

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR GE-HITACHI NUCLEAR ENERGY AMERICAS LLC

Dear Mr. Head:

By letter dated June 12, 2017, GE-Hitachi Nuclear Energy Americas, LLC (GEH) submitted an affidavit of the same date, executed by yourself (Enclosure 3), to the U.S. Nuclear Regulatory Commission (NRC). GEH requested that the information contained in Enclosure 1 to its letter be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390. Specifically, GEH requested that the following document be withheld:

General Aspects of Additive Manufacturing Presentation –
GEH Proprietary Information – Class II (Internal)

A non-proprietary copy of the document (Enclosure 2 to GEH's letter) has been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (8) The information identified in paragraph (2) is classified as proprietary because it contains details of the design and licensing methodology, and research and development activities of GEH or its licensor. The research and development, plans, evaluations, and results included was achieved at a significant cost to GEH.

The development of these plans and methodology, along with the testing, development and approval of the supporting methodology is derived from an extensive experience database that constitutes a major asset of GEH or its licensor.

- (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 information is part of GEH's comprehensive BWR 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.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, 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 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 document. 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 via electronic mail at Taylor.Lamb@nrc.gov or via telephone at (301) 415-7128.

Sincerely,

/RA/

Taylor A Lamb, Reactor Operations Engineer
Quality Assurance Vendor Inspection Branch-3
Division of Construction Inspection
and Operational Programs
Office of New Reactors

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR GE-HITACHI NUCLEAR ENERGY AMERICAS LLC

Dated: June 26, 2017

DISTRIBUTION:

PUBLIC

RidsOgcMailCenter Resource

RidsAcrsAcnw_MailCTR Resource

ADAMS Accession No.: ML17174A546

NRO-002

OFC	NRO/DCIP	NRO/DCIP	NRO/DCIP	NRO/DCIP
NAME	TLamb	JBurke	TJackson	TLamb
DATE	06/23/17	06/26/17	06/23/17	06/26/17

OFFICIAL RECORD COPY