

**Affidavit of David Peace
in connection with Swagelok Company's
Nuclear Regulatory Inspection Report No. 99901477/2017-201**

I, David Peace being first duly sworn according to law, state that, to the best of my knowledge, information, and belief:

1. I am over eighteen years of age and am competent to testify herein.
2. I am employed by Swagelok Company ("Swagelok") as Vice President, Engineering. I am authorized to submit this affidavit on behalf of Swagelok.
3. This affidavit is submitted pursuant to 10 C.F.R. 2.390(b) in connection with certain information contained in Nuclear Regulatory Inspection Report No. 99901477/2017-201 (the "Report"). Swagelok requests that the information described in paragraphs 4 and 8 below ("Confidential Information") be exempt from disclosure and not be available for inspection and copying at the NRC Web site, at the NRC Public Disclosure Room, or otherwise. The basis for this request is stated in paragraphs 4 through 8 below.

4. **The document or part to be withheld – Section 2.390(b)(1)(ii)(A)**

Swagelok requests that the following portions of the Report be withheld.

- a. The identity of Swagelok's suppliers, which is found on the pages of the Report identified in paragraph 8(a) below and highlighted in the attached Exhibit A.
- b. Information related to internal evaluations of deviations which were not reported under 10 CFR Part 21 and are not public record, which is found on the pages of the Report identified in paragraph 8(b) below and highlighted in the attached Exhibit A.

5. **The official position of the person making the affidavit – Section 2.390(b)(1)(ii)(B)**

The affiant is David Peace, Vice President, Engineering of Swagelok, who is an officer of Swagelok and is authorized to make and execute this affidavit on behalf of Swagelok.

6. **The basis for proposing that the information be withheld – Section 2.390(b)(1)(ii)(C)**

The Confidential Information constitutes trade secrets and commercial or financial information that is confidential and is therefore protected from disclosure pursuant to Section 2.390(a)(4). The Confidential Information is held in confidence by Swagelok, is of a type customarily held in confidence by Swagelok for the reasons stated in paragraph 7 below, and the information was transmitted to the Commission by Swagelok in confidence.

7. The harm that would result if the Confidential Information is disclosed to the public – Section 2.390(b)(1)(ii)(D)

The Confidential Information includes the names of Swagelok Company's suppliers and information related to internal evaluations of deviations which were not reported under 10 CFR Part 21 and are not public record. The disclosure of the Confidential Information is necessary for the protection of Swagelok's competitive position. Especially given the limited nature of the Confidential Information, withholding the Confidential Information would not significantly impact an understanding of the Report.

The fact that the particular entities that are part of the Confidential Information are suppliers to Swagelok is not available in public sources. In addition, public disclosure of the Confidential Information is likely to cause substantial harm to the competitive position of Swagelok due to Swagelok's investment of time and money, and the extensive process that Swagelok conducts, to identify, qualify, and develop its suppliers. Disclosing the Confidential Information would allow competitors to free ride on Swagelok's expensive and time-consuming efforts to identify, qualify, and develop its roster of suppliers without the competitors' incurring similar time and expense. In addition Swagelok's suppliers perform specialized operations, including some that utilize Swagelok trade secrets, and releasing the names of the suppliers to the public would provide information on how Swagelok products are processed. Swagelok does not provide information on its suppliers to other organizations outside Swagelok. Accordingly, all names and direct references to suppliers should be redacted as identified in the attached copy of the Report.

The inspection report also lists two 10 CFR Part 21 evaluations. The conclusion of these evaluations were that the circumstances examined did not pose a significant safety hazard. Accordingly, the titles listed in the two investigations should be redacted as identified in the attached copy of the Report (and see paragraph 8(b) below). In addition, the evaluations listed identify a specific supplier and, as stated above, Swagelok's supplier information is confidential and proprietary.

8. The locations in the Report of Confidential Information to be withheld – Section 2.390(b)(1)(ii)(E)

Exhibit A to this Affidavit is provided to identify the Confidential Information Swagelok seeks to redact: the Confidential Information is visible but highlighted in yellow. Exhibit B to this Affidavit is a copy of the Report with the Confidential Information actually redacted. The requested redactions are described below.

- a. The identity of Swagelok's suppliers, which is found on the following sections of the Report:
 - i. Notice of Nonconformance, paragraph number 1
 - ii. Executive Summary, Supplier Oversight section.
 - iii. Report Details, Section 1(b) (Supplier Oversight: Observations and Findings) – two instances
 - iv. Report Details, Section 1(c) (Supplier Oversight: Conclusion)
 - v. Attachment, Section 4, (Documents Reviewed: Calibration, Non-Destructive Examination, Inspection and Test Records), fifteenth, twentieth, twenty-first, and twenty-second bullet points

- vi. Attachment, Section 4, (Documents Reviewed: Purchase Orders, Audit Reports, and Commercial-Grade Dedication), all *except* the first bullet point, last seven bullet points, and the ninth to last bullet point
 - b. Information related to internal evaluations of deviations which were not reported under 10 CFR Part 21 and are not public record, which is found in Attachment, 10 CFR Part 21 Evaluations, the text within quotation marks in the second and third bullet points
9. The information, data, documents and reports identified under this affidavit are true, accurate and complete.

Further affiant sayeth naught.

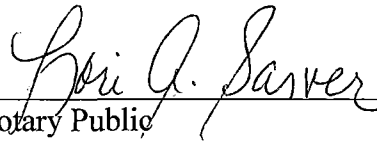


David Peace

State of Ohio)
)
 County of Cuyahoga)

ss:

Sworn to before me and subscribed in my presence this 3 day of May 2017.



Notary Public



Lori A. Sarver
 Resident Summit County
 Notary Public, State of Ohio
 My Commission Expires: 04/13/2020