

January 22, 2018

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 - AMERICAS, LLC. REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Head:

By letter dated December 1, 2017 (Letter No. M170262, Agencywide Documents Access and Management System (ADAMS) Accession No. ML17335A436), an affidavit dated December 1, 2017, was executed and submitted by Dr. Brian R. Moore, General Manager, Core & Fuel Engineering, Global Nuclear Fuel – Americas, LLC. (GNF-A), requesting that the information contained in GNF-A proprietary report, NEDC-33879P, Revision 1, “GNF3 Generic Compliance with NEDE-24011-P-A (GESTAR II), December 2017,” be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission’s (NRC’s) Public Document Room and is available in ADAMS at Accession No. ML17335A441.

The affidavit 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.

J. Head

- 2 -

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 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

Docket No. 99901376

cc: See next page

J. Head

- 3 -

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DATED: JANUARY 22, 2018

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**ADAMS Accession No.: ML18004A577; \*concurred via e-mail**

**NRR-106**

OFFICE	NRR/DLP/PLPB	NRR/DLP/PLPB*	NRR/DSS	NRR/DLP/PLPB	NRR/DLP/PLPB
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DATE	1/18/2018	1/11/2018	1/19/2018	1/22/2018	1/22/2018

**OFFICIAL RECORD COPY**

GE-Hitachi Nuclear Energy Americas

Docket No. 99901376

cc:

Dr. Brian R. Moore  
General Manager, Core & Fuel Engineering  
Global Nuclear Fuel – Americas, LLC  
P.O. Box 780, M/C A-75  
Wilmington, NC 28401-0780  
[Brian.moore@gnf.com](mailto:Brian.moore@gnf.com)

Mr. James F. Harrison  
GE-Hitachi Nuclear Energy Americas LLC  
Vice President - Fuel Licensing  
P.O. Box 780, M/C A-55  
Wilmington, NC 28401-0780  
[james.harrison@ge.com](mailto:james.harrison@ge.com)

Ms. Patricia L. Campbell  
Vice President, Washington Regulatory Affairs  
GE-Hitachi Nuclear Energy Americas LLC  
1299 Pennsylvania Avenue, NW  
9th Floor  
Washington, DC 20004  
[patriciaL.campbell@ge.com](mailto:patriciaL.campbell@ge.com)