



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 17, 2018

Mr. Gary Peters, Director
Licensing and Regulatory Affairs
Framatome, Inc.
3315 Old Forest Road
Lynchburg, VA 24501

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
IN APRIL 23, 2018, RESPONSE TO REQUEST FOR COMMENT ON DRAFT
SAFETY EVALUATION FOR ANP-10335P, REVISION 0, "ACE/ATRIUM 11
CRITICAL POWER CORRELATION" (CAC NO. MF5841;
EPID L-2015-TOP-0002)

Dear Mr. Peters:

By letter dated April 23, 2018 (Agencywide Documents Access and Management System Accession No. ML18116A469), Framatome Inc. (Framatome) submitted an April 19, 2018, affidavit executed by Morris Byram, Product Licensing Manager. The affidavit requested that the information contained in the response to the U.S. Nuclear Regulatory Commission (NRC) staff request for comment on draft safety evaluation for ANP-10335P, Revision 0, be withheld from public disclosure under Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390, "Hearing Requests, Petitions to Intervene, Requirements for Standing, and Conditions."

A nonproprietary version of the information was not submitted. Although 10 CFR 2.390 does not require a nonproprietary version of documents be submitted, the NRC staff encourages such versions. Having a nonproprietary version of information available helps NRC meet its Excellence Objective of timely dispersal of information to stakeholders. Given the limited amount of proprietary information in these submissions, providing nonproprietary versions could be easily supported. Please consider submitting a nonproprietary version of reports in the future.

The Framatome affidavit detailed the reasons for withholding the information.

The NRC staff has reviewed the Framatome application and the material in accordance with the requirements of 10 CFR 2.390. On the basis of the statements in the affidavit, the NRC staff has 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 under 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, the NRC staff may send copies of this information to its consultants working in this area. The agency will, of course, ensure that

the NRC staff 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 staff 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 staff 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 can be reached at 301-415-4053 or via e-mail at Jonathan.Rowley@nrc.gov.

Sincerely,

/RA/

Jonathan G. Rowley, Project Manager
Licensing Processes Branch
Division of Licensing Projects
Office of Nuclear Reactor Regulation

Docket No. 99902041

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ADAMS Accession No. ML18179A127***concurred via email****NRR-106**

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