



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

September 20, 2018

Mr. Scott P. Murray
Manager, Facility Licensing
Global Nuclear Fuel - Americas LLC
3901 Castle Hayne Road
P.O. Box 780
Wilmington, NC 28402

SUBJECT: GLOBAL NUCLEAR FUEL – AMERICAS LLC CERTIFICATE OF COMPLIANCE
NO. 9309 – REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE

Dear Mr. Murray:

By letter to the U.S. Nuclear Regulatory Commission (NRC), dated September 4, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18247A218), you submitted an affidavit dated September 4, 2018, executed by you, requesting that the information contained in the following proprietary document for the Model No. RAJ-II package be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

- RAJ-II SAR [Safety Analysis Report], NEDE-33869P Revision 10, September 2018 – GNF-A [Global Nuclear Fuel – Americas LLC] Proprietary Information – Class II (Internal) (Enclosure 3 to your letter dated September 4, 2018).

A non-proprietary copy of the above document was placed in the NRC's Public Document Room and added to the ADAMS Public Electronic Reading Room.

Your affidavit dated September 4, 2018, stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (4) 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 GNF-A and/or other companies.
- (4) 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.

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.

Therefore, the version(s) 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 of the date of public disclosure, in advance, which will be a reasonable time thereafter.

If you have any questions regarding this matter, you may contact me at 301-415-1564 or Siva.Lingam@nrc.gov.

Sincerely,

/RA/

Siva P. Lingam, Project Manager
Spent Fuel Licensing Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-9309
EPID No. L-2018-RNW-0021

S. Murray

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DISCLOSURE, DOCUMENT DATE: September 20, 2018

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G:\SFST\TN\PART 71 CASEWORK\Model RAJ-II Docket 71-9309\Proprietary determination
(9-4-18).docx

ADAMS Accession No.: ML18264A189

*via email

OFC	DSFM	*DSFM	DSFM
NAME	SLingam	SFigueroa	JMcKirgan
DATE	9/19/18	9/19/18	9/20/18

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