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

January 24, 2019

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 January 10, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19010A109), you submitted an affidavit dated January 9, 2019 (ADAMS Accession No. ML19010A114), executed by Brian R. Moore, 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:

> "Enclosure 1 of GNF-A letter M190005, Brian R. Moore (GNF-A) to Document Control Desk (USNRC), "Corrected Pages to Revision 10 of the Safety Analysis Report for the Model No. RAJ-II," dated January 10, 2019. The proprietary information in Enclosure 1, entitled "Corrected Pages for NEDE-33869P Revision 10," is identified by a dotted underline inside double square brackets. [[This sentence is an example.]]…"

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. Enclosure 1 does not include any text identified by a dotted underline inside double square brackets.

Your affidavit dated January 9, 2019, stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

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.

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 reviewed your submittal in accordance with the requirements of 10 CFR 2.390. There is no specific information marked as proprietary in Enclosure 1 of your letter submitted on January 10, 2019, and the contents of Enclosures 1 and 2 of your letter are identical, with exception of the "Internal" marking of Enclosure 1. Your staff confirmed that Enclosure 1 of the submittal, dated January 10, 2019, was included in the affidavit as a conservative measure and no proprietary information was included in the corrected pages submitted by you (ADAMS Accession No. ML19011A305). Based on your statements included in the affidavit dated January 9, 2019, and the information provided by the applicant, the NRC has determined that the submitted information sought to be withheld does not contain proprietary commercial information and should not be withheld from public disclosure.

Therefore, your submittal dated January 10, 2019, marked as proprietary will not 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. To avoid confusion, a public version of Enclosure 1 will show the word "Internal" in "strikeout" text.

If you have any concerns with the staff's determination, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future.

If you have any questions regarding this matter, you may contact me at 301-415-6999 or Norma.Garcia-Santos@nrc.gov.

Sincerely,

/RA/

Norma García Santos, Project Manager
Spent Fuel Licensing Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

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

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DSFM r/f JMarcano

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ADAMS Accession No.: ML19025A051 *via email

OFFFICE	DSFM	DSFM	DSFM
NAME	NGarcía Santos	SFigueroa	BWhite for JMcKirgan
DATE	1/17/19	1/18/19	1/24/19

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