

December 31, 2019  
NRC:19:034

U.S. Nuclear Regulatory Commission  
Document Control Desk  
11555 Rockville Pike  
Rockville, MD 20852

**Request for Review and Approval of BAW-10227P, Revision 2, "Evaluation of Advanced Cladding and Structural Material (M5) in PWR Reactor Fuel"**

Framatome Inc. (Framatome) requests the NRC's review and approval of the topical report BAW-10227P, Revision 2, "Evaluation of Advanced Cladding and Structural Material (M5) in PWR Reactor Fuel" for referencing in licensing actions.

The topical report BAW-10227P, Revision 2 provides an update of the material properties for M5<sub>Framatome</sub> cladding and structural material.

This topical report submittal is consistent with the NRC's definition of a Reduced Scope Topical Report as discussed in the workshop on transforming the topical report review process on October 24, 2019. Due to the narrow scope of review, Framatome would appreciate NRC approval of this topical report by December 2020 with the use of a Limited Safety Evaluation.

- The scope of the review is narrow in scope and for most models consists of verifying that the update of previously approved models based on additional data is acceptable and is applicable to an increased burnup range.
- The topical report is a revision to a previously approved topical report (BAW-10227P-A, Revision 1).
- The topical report does not change the original SE conclusion from the review of the original topical report: the M5<sub>Framatome</sub> material is acceptable for use in pressurized water reactors.
- The changes to the previously approved models are small with many models unchanged.

Framatome considers some of the material contained in Enclosure 1 to be proprietary. As required by 10 CFR 2.390(b), an affidavit is enclosed to support withholding of information from public disclosure.

There are no regulatory commitments within this letter or its enclosures.

YGD1  
NRR

If you have any questions related to this submittal please contact Ms. Gayle F. Elliott, Licensing and Regulatory Affairs. She may be reached by telephone at 434-832-3347 or by e-mail at [Gayle.Elliott@framatome.com](mailto:Gayle.Elliott@framatome.com).

Sincerely,



Gary Peters, Director  
Licensing & Regulatory Affairs  
Framatome Inc.

cc: J. G. Rowley  
Project 728

Enclosures:

- 1 BAW-10227P, Revision 2 (Proprietary)
- 2 BAW-10227NP, Revision 2 (Non-Proprietary)
- 3 Notarized Affidavit for withholding of proprietary information

M5 and M5<sub>Framatome</sub> are trademarks or registered trademarks of Framatome or its affiliates, in the USA or other countries.

## AFFIDAVIT

1. My name is Gayle Elliott. I am Deputy Director, Licensing & Regulatory Affairs for Framatome Inc. (Framatome) and as such I am authorized to execute this Affidavit.

2. I am familiar with the criteria applied by Framatome to determine whether certain Framatome information is proprietary. I am familiar with the policies established by Framatome to ensure the proper application of these criteria.

3. I am familiar with the Framatome information contained in the Licensing Topical Report BAW-10227P, Revision 2, entitled "Evaluation of Advanced Cladding and Structural Material (M5) in PWR Reactor Fuel," dated December 2019, and referred to herein as "Document." Information contained in this Document has been classified by Framatome as proprietary in accordance with the policies established by Framatome for the control and protection of proprietary and confidential information.

4. This Document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by Framatome and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in this Document as proprietary and confidential.

5. This Document has been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in this Document be withheld from public disclosure. The request for withholding of proprietary information is made in accordance with 10 CFR 2.390. The information for which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information."

6. The following criteria are customarily applied by Framatome to determine whether information should be classified as proprietary:

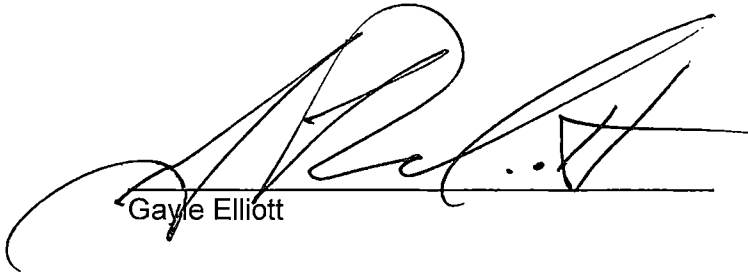
- (a) The information reveals details of Framatome's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for Framatome.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for Framatome in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by Framatome, would be helpful to competitors to Framatome, and would likely cause substantial harm to the competitive position of Framatome.

The information in this Document is considered proprietary for the reasons set forth in paragraphs 6(d) and 6(e) above.

7. In accordance with Framatome's policies governing the protection and control of information, proprietary information contained in this Document has been made available, on a limited basis, to others outside Framatome only as required and under suitable agreement providing for nondisclosure and limited use of the information.

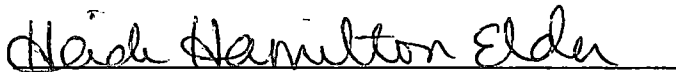
8. Framatome policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

  
Gayle Elliott

Commonwealth of Virginia )  
  ) ss.  
City of Lynchburg            )

SUBSCRIBED before me this 30 day of December, 2019.



Heidi Elder  
NOTARY PUBLIC, COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES: 12/31/22  
Reg. # 777873

