



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

March 27, 2020

Ms. Michelle P. Catts
Senior Vice President, Regulatory Affairs
GE-Hitachi Nuclear Energy Americas, LLC
P.O. Box 780 M/C A-10
Wilmington, NC 28401

SUBJECT: GLOBAL NUCLEAR FUEL - AMERICAS, LLC REQUEST FOR WITHHOLDING
INFORMATION IN GESTAR II COMPLIANCE REPORTS FROM PUBLIC
DISCLOSURE (EPID L-2019-PMP-0098)

Dear Ms. Catts:

By letter dated March 4, 2020 (Letter No. M200017, Agencywide Documents Access and Management System (ADAMS) Accession No. ML20064D052), Global Nuclear Fuel - Americas LLC (GNF-A), submitted Revised General Electric Standard Application for Reactor Fuel (GESTAR II) Compliance Reports for the GE14, GNF2, and GNF3 Fuel Product Lines and affidavits for GE14, GNF2, and GNF3 Compliance Reports dated March 4, 2020 (ADAMS Accession Nos. ML20064D065, ML20064D084, and ML20064D105), that was submitted and executed by Brian R. Moore, General Manager, Core & Fuel Engineering, GNF-A, requesting that the information contained in GE14 Compliance with Amendment 22 of NEDE-24011-P-A (GESTAR II), NEDC-32868P, Revision 7, GNF2 Advantage Generic Compliance with NEDE24011-P-A (GESTAR II), NEDC-33270P, Revision 10, and GNF3 Generic Compliance with NEDE-24011-P-A (GESTAR II), NEDC-33879P, Revision 3, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390.

Nonproprietary copies of the GNF2 and GNF3 Compliance Reports have been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and is available in ADAMS under Accession Nos. ML20064D078 and ML20064D100.

The affidavits 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.

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 301-415-6695.

Sincerely,

/RA/

Ngola Otto, Project Manager
Licensing Projects Branch
Division of Operating Reactors
Office of Nuclear Reactor

Licensing
Regulation

Docket No. 99901376

cc: See next page

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ADAMS Accession No.: ML20070J370 *concurred via e-mail NRR-106

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Global Nuclear Fuel Americas

Docket No. 99901376

cc:

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