



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

April 14, 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: GE-HITACHI NUCLEAR ENERGY - AMERICAS, LLC REQUEST FOR WITHHOLDING TRACG BIASES, UNCERTAINTIES AND STATISTICAL ADDERS FROM PUBLIC DISCLOSURE (EPID L-2019-PMP-0097)

Dear Ms. Catts:

By letter dated April 3, 2020 (Letter No. M200053, Agencywide Documents Access and Management System (ADAMS) Accession No. ML20094G060), GE-Hitachi Nuclear Energy - Americas LLC (GEH), submitted Event-Specific Δ CPR/ICPR Biases and Uncertainties and Peak Pressure Adders for Anticipated Operational Occurrences Licensing Applications and an affidavit dated April 3, 2020 (ADAMS Accession No. ML20094G066), that was submitted and executed by Michelle P. Catts, Senior Vice President of Regulatory Affairs, GEH, requesting that the information contained in Enclosure 1, "TRACG Biases, Uncertainties and Statistical Adders," be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390.

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and is available in ADAMS Accession No. ML20094G063.

The affidavit 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 GEH's competitors without license from GEH constitutes a competitive economic advantage over 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;
- c. Information that reveals aspects of past, present, or future GEH customer-funded development plans and programs, resulting in potential products to GEH;
- d. Information that discloses trade secret and/or potentially patentable subject matter for which it may be desirable to obtain patent protection.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, based on 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 Licensing
Office of Nuclear Reactor Regulation

Docket No. 99902024
Project No. 710

cc: See next page

Global Nuclear Fuel Americas

Docket No. 99902024

cc:

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ADAMS Accession No.: ML20100L869 *concurred via e-mail NRR-106

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