



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

October 15, 2020

Ms. Michelle Catts
Senior Vice President, Regulatory Affairs
GE-Hitachi Nuclear Energy Americas, LLC.
P.O. Box 780, M/C A-18
Wilmington, NC 28402 USA

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR GE-HITACHI NUCLEAR ENERGY AMERICAS, LLC.

Dear Ms. Catts:

By letters to the U.S. Nuclear Regulatory Commission (NRC) included in the list below, GE-Hitachi Nuclear Energy Americas, LLC (GEH) requested that the information included within the letters, or as an enclosure to the letters, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

Letter Number and Date	Subject	Package Accession Number	Affidavit
M190157 September 19, 2019	Presentation Slides for Pre-Application Meeting for Planned Submittal of GE-Hitachi BWRX-300 Selected Topical Reports	ML19262J832	ML19262J836
M190215 December 30, 2019	Pre-Application Submittal of NEDC-33910P, BWRX-300 Reactor Pressure Vessel (RPV) Isolation and Overpressure Protection Licensing Topical Report	ML19364A210	ML19364A213
M200064 April 20, 2020	Response to Requests for Additional Information (eRAIs) 9730, 9731 and 9732 for Licensing Topical Report NEDC-33910P, Revision 0, BWRX-300 Reactor Pressure Vessel (RPV) Isolation and Overpressure Protection	ML20111C944	ML20111C969
M200071 May 4, 2020	Response to Requests for Additional Information (eRAIs) 9730, 9731 and 9732, Supplement 1, for Licensing Topical Report NEDC-33910P, Revision 0, BWRX-300 Reactor Pressure Vessel (RPV) Isolation and Overpressure Protection	ML20125D893	ML20125D923
M200082 June 4, 2020	Pre-Application Submittal of Supplement 1 of NEDC-33910P, BWRX-300 Reactor Pressure Vessel (RPV) Isolation and Overpressure Protection Licensing Topical Report	ML20156A270	ML20156A274
M200088 June 22, 2020	Pre-Application Submittal of Supplement 2 of NEDC-33910P, BWRX-300 Reactor Pressure Vessel (RPV) Isolation and Overpressure Protection Licensing Topical Report	ML20174A574	ML20174A578

The affidavits state that the submitted information should be considered exempt from disclosure as set forth in the Freedom of Information Act, the Trade Secrets Act and the NRC's regulations because it is proprietary as defined below:

- 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 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;
- c. Information which reveals aspects of past, present, or future GEH customer-funded development plans and programs, resulting in potential products to GEH;
- d. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

The NRC staff reviewed the material in accordance with the requirements of 10 CFR Section 2.390. Based upon the statements in the affidavit, we have determined that the submitted material, sought to be withheld, contains proprietary commercial information and should be withheld from public disclosure. Therefore, versions of the submitted information marked as proprietary have been withheld from public disclosure pursuant to 10 CFR Section 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, the NRC staff may send copies of this information to our consultants working in this area. The NRC staff 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 staff. You also should understand that the NRC staff 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 staff makes a determination adverse to the above, you will be notified in advance of any public disclosure.

M. Catts

- 3 -

If you have any questions regarding this matter, I may be reached via e-mail at Rani.Franovich@nrc.gov.

Sincerely,

/RA/

Rani Franovich, Senior Project Manager
New Reactor Licensing Branch
Division of New and Renewed Licenses
Office of Nuclear Reactor Regulation

Docket No. 99900003

cc: ListServe GEH BWRX-300 NEDC-33910P

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR GE-HITACHI NUCLEAR ENERGY AMERICAS, LLC
DATED: OCTOBER 15, 2020

DISTRIBUTION:

PUBLIC
NRLB R/F
MDudek, NRR
GCranston, NRR
RFranovich, NRR
MJohnson, NRR
CLauron, NRR
RidsAcrcMailCenter
RidsOgcMailCenter
RidsNrrLACSmith

ADAMS Accession No.:

LTR: ML20288A203

***via email**

NRR-106

OFFICE	NRR/DNRL/NRLB: PM	NRR/DNRL/NRLB: LA	NRR/DNRL/NRLB: PM
NAME	RFranovich	CSmith*	RFranovich (signed)
DATE	10/13/2020	10/14/2020	10/15/2020

OFFICIAL RECORD COPY