

From: [Chen, Yen-Ju](#)
To: [Quinn, Robert D.](#)
Cc: [Meneely, Jennifer E](#); [Lewis, Donald](#)
Subject: Approval of Westinghouse Request for Withholding Information from Public Disclosure—Certificate of Compliance No. 1026, FuelSolutions Spent Fuel Management System, Renewal
Date: Wednesday, April 07, 2021 2:56:00 PM

Dear Mr. Quinn:

By letters dated November 6, 2020, and March 30, 2021, you submitted affidavits requesting that certain information contained in the submittal for the FuelSolutions Spent Fuel Management System, renewal application and the response to request for supplemental information, to be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations (10 CFR) Part 2, Section 2.390.

As applicable, a non-proprietary copy of the submittals is placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

The affidavits state that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
- It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage (e.g., by optimization or improved marketability).
- Its use 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 a similar product.
- It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
- It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
- It contains patentable ideas, for which patent protection may be desirable.

We have reviewed the request in accordance with the requirements of 10 CFR 2.390 and, on the basis of the 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.

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 of the date of public disclosure, in advance, which will be a reasonable time thereafter.

If you have any questions regarding this matter, you may contact me at 301-415-1018.

Yen-Ju Chen
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Office of Nuclear Material Safety and Safeguards
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301-415-1018