



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

February 3, 2023

T. J. Tate, Manager  
Environmental, Safety, Health  
and Licensing  
Framatome Inc.  
2101 Horn Rapids Road  
Richland, WA 99354-5102

SUBJECT: FRAMATOME INC. – APPROVAL OF REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE (ENTERPRISE  
PROJECT IDENTIFER L-2019-PMP-0011)

Dear T. J. Tate:

There are three letters transmitted in two submittals which are addressed by this letter. The first submittal is a letter of intent (LOI), dated October 28, 2021, you sent pertaining to an upcoming amendment to license SNM-1227. Framatome Inc. submitted an affidavit dated November 1, 2021, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML23033A046), requesting that the information contained in the LOI be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390.

The second and third letters are LOIs, dated November 29, 2023, that communicate Framatome Inc.'s intent to submit two additional license amendments in the future. Framatome Inc. submitted an affidavit dated November 29, 2022 (ADAMS Accession No. ML22336A101). Framatome Inc. requested that the information contained in the LOIs be withheld from public disclosure pursuant to 10 CFR 2.390.

Both affidavits (ML23033A046 and ML22336A101) stated that the submitted information should be considered exempt from mandatory public disclosure for the following reason:

The letters contains commercial confidential nature that is not available in public sources or available to the public. This information is commercial and confidential because it reveals distinguishing aspects of Framatome's business plans which a competitor within the field of nuclear fuel manufacturing may adapt for their business plans, thereby gaining a competitive advantage to the disadvantage of Framatome.

The U.S. Nuclear Regulatory Commission (NRC) staff reviewed your request 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(s) 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 the information from public disclosure 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, if for example, 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 the date of public disclosure.

If you have any questions regarding this matter, please contact me at 301-415-6201, or via email to [Richard.Jervey@nrc.gov](mailto:Richard.Jervey@nrc.gov).

Sincerely,



Signed by Jervey, Richard  
on 02/03/23

Richard A. Jervey, Project Manager  
Fuel Facility Licensing Branch  
Division of Fuel Management  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 70-1257  
License No.: SNM-1227

cc: [framatome@listmgr.nrc.gov](mailto:framatome@listmgr.nrc.gov)

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DOCUMENT DATE: February 3, 2023

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**ADAMS Accession Nos.: ML22336A098 (PKG), ML22336A099 (LTR), ML22336A100 (LOI), ML22336A101 (ADV), ML22336A102 (LOI), ML23033A046 (ADV)**

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NAME	RJervey	JGoodridge	SSoto	RJervey
DATE	12/1/22	2/2/2023	2/2/2023	2/3/2023

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