

March 7, 2024

Docket No. 52-050

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852-2738

**SUBJECT:** NuScale Power, LLC Submittal of Supplemental Information for NuScale Letter LO-130201

**REFERENCES:**

1. NuScale Letter to NRC, "NuScale Power, LLC Submittal of Supplemental Information in Support of NuScale Topical Reports," LO-130201, January 06, 2023 (ML23011A012)

NuScale Power, LLC (NuScale) transmitted letter LO-130201 (Reference 1) to the Nuclear Regulatory Commission (NRC) on January 06, 2023 to provide requested NRELAP files that the NRC needed for its review of topical reports that support the NuScale standard design approval application.

The purpose of this letter is to provide Framatome affidavit (Enclosure 1), which supplements NuScale Letter LO-130201 (Reference 1).

This letter makes no regulatory commitments and no revisions to any existing regulatory commitments.

If you have any questions, please contact Wren Fowler at 541-452-7183 or [sfowler@nuscalepower.com](mailto:sfowler@nuscalepower.com).

Sincerely,



Thomas Griffith  
Manager, Licensing  
NuScale Power, LLC

Distribution: Mahmoud Jardaneh, NRC  
Getachew Tesfaye, NRC  
Stacy Joseph, NRC

Enclosure 1: Affidavit of Morris Byram, Framatome

**Enclosure 1:**

Affidavit of Morris Byram, Framatome

## A F F I D A V I T

1. My name is Morris Byram. I am Product Manager, Licensing & Regulatory Affairs for Framatome Inc. (Framatome) and as such I am authorized to execute this Affidavit.

2. I am familiar with the criteria applied by Framatome to determine whether certain Framatome information is proprietary. I am familiar with the policies established by Framatome to ensure the proper application of these criteria.

3. I am familiar with the Framatome information contained in the attached DVDs (Digital Versatile Discs) to the NuScale Power, LLC letter Number LO-130201, dated January 6, 2023, with subject "NuScale Power, LLC Submittal of Supplemental Information in Support of NuScale Topical Reports", and referred to herein as "Document." Information contained in this Document has been classified by Framatome as proprietary in accordance with the policies established by Framatome for the control and protection of proprietary and confidential information.

4. This Document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by Framatome and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in this Document as proprietary and confidential.

5. This Document has been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in this Document be withheld from public disclosure. The request for withholding of proprietary information is made in accordance with 10 CFR 2.390. The information for which withholding from disclosure is

requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information."

6. The following criteria are customarily applied by Framatome to determine whether information should be classified as proprietary:

- (a) The information reveals details of Framatome's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for Framatome.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for Framatome in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by Framatome, would be helpful to competitors to Framatome, and would likely cause substantial harm to the competitive position of Framatome.

The information in this Document is considered proprietary for the reasons set forth in paragraph 6(d) and 6(e) above.

7. In accordance with Framatome's policies governing the protection and control of information, proprietary information contained in this Document has been made available, on a limited basis, to others outside Framatome only as required and under suitable agreement providing for nondisclosure and limited use of the information.

8. Framatome policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: (2/12/2024)

**BYRAM Morris** Digitally signed by BYRAM  
Morris  
Date: 2024.02.12 17:12:34 -08'00'

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(NAME)

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