



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

May 2, 2024

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: GLOBAL FUELS AMERICAS LLC AND GE-HITACHI NUCLEAR ENERGY
AMERICAS LLC REQUEST FOR WITHHOLDING INFORMATION FROM
PUBLIC DISCLOSURE

Dear Michelle Catts:

By letter dated April 22, 2024 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML24113A203), Global Fuels Americas LLC (GNF-A) affidavit dated April 22, 2024 (ADAMS Accession No. ML24113A206), was executed and submitted by Michelle Catts, Senior Vice President of Nuclear Programs, GE-Hitachi Nuclear Energy Americas LLC (GEH), requesting that the information contained in Enclosure 1 of the above said letter entitled, "Part 21 Final Report Notification: GNF3 Spacer Relocation (SC 24-01)," be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

The nonproprietary copy of this document (Enclosure 2) has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and is available under ADAMS Accession No. ML24113A205.

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 GNF competitors without license from GNF 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. The information reveals aspects of past, present, or future GNF customer-funded development plans and programs, that may include potential products of GNF.

- d. The information 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, 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 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 301-415-1002.

Sincerely,

/RA/

Ekaterina Lenning, Project Manager
Licensing Processes Branch
Division of Licensing Projects
Office of Nuclear Reactor Regulation

Docket Nos. 99901376, 99900003

SUBJECT: GLOBAL FUELS AMERICAS LLC AND GE-HITACHI NUCLEAR ENERGY
AMERICAS LLC REQUEST FOR WITHHOLDING FROM PUBLIC
DISCLOSURE DATED MAY 2, 2024

DISTRIBUTION:

PUBLIC
RidsACRS_MailCTR
CBrown, ACRS
RidsNrrLADHarrison
RidsOgcMailCenter
RidsResOd
RidsNrrDss
RidsNrrDssSfnb
SKrepel, NRR
JKaizer, NRR
KKavanagh, NRR
JWinslow, NRR
RidsNrrDorl
RidsNrrDorlLlpb
GGeorge, NRR
ELenning, NRR

ADAMS Accession No.: ML24114A113 (Letter)

OFFICE	NRR/DORL/LLPB/PM	NRR/DORL/LLPB/LA	DSS/SFNB/BC
NAME	ELenning	DHarrison	SKrepel
DATE	4/23/2024	4/30/2024	4/30/2024
OFFICE	NRR/DORL/LLPB/BC	NRR/DORL/LLPB/PM	
NAME	GGeorge	ELenning	
DATE	5/1/2024	5/2/2024	

OFFICIAL RECORD COPY