



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

April 25, 2019

Ms. 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: GENERAL ELECTRIC HITACHI NUCLEAR ENERGY AMERICAS, LLC,
REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

Dear Ms. Catts:

By letter dated March 27, 2019 (Letter No. M190067, Agencywide Documents Access and Management System (ADAMS) Accession No. ML19086A227), an affidavit dated March 26, 2019, was executed and submitted by Ms. Lisa K. Schichlein, Senior Project Manager, NPP/Services Licensing Regulatory Affairs, General Electric-Hitachi (GEH) Nuclear Energy Americas, LLC, requesting that the information contained in GEH Licensing Topical Report NEDC-33173P, Supplement 5P-A, Revision 1, "Applicability of General Electric (GE) Methods to Expanded Operating Domains – Supplement for GNF3 Fuel," March 2019, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390.

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and is available in ADAMS Package Accession No. ML19086A226.

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 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.

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/

Joseph A. Golla, Project Manager
Licensing Processes Branch
Division of Licensing Projects
Office of Nuclear Reactor Regulation

Docket No. 99902024

cc: See next page

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GE-Hitachi Nuclear Energy Americas

Docket No. 99902014

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