

March 13, 2002

U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852-2738

Attn: Document Control Desk

Subject: Submittal of NAC Proprietary Information Thermal Calculation Packages for the NAC-UMS[®] Universal Storage System with Enhanced Design Features

Docket No. 72-1015

- Reference:
1. Request for an Amendment of the Certificate of Compliance (CoC) for the NAC-UMS[®] Universal Storage System to Incorporate Enhanced Design Features, NAC International, January 15, 2002
 2. Conference call between the NRC and NAC, March 12, 2002

In accordance with the discussions of Reference 2, NAC International (NAC) herewith submits one copy of the NAC thermal calculation packages as requested by the Nuclear Regulatory Commission (NRC) to support the technical review of the Reference 2, E-UMS Amendment Request.

This submittal includes four NAC Proprietary Information Calculation Packages as follows:

1. EA790-3006, Rev. 0, "Effective Conductivity, Density and Specific Heat Calculation of UMS PWR Fuel and Fuel Tube."
2. EA790-3007, Rev. 0, "Enhanced UMS BWR Fuel Region and Fuel Tubes Effective Thermal Properties."
3. EA790-3206, Rev. 3, "Thermal Analyses for UMS Transfer Cask/Canister for PWR Fuel."
4. EA790-3207, Rev. 1, "Transfer Cask Transient Analysis – Enhanced UMS BWR."

The required Proprietary Information Affidavit has been executed and is attached.

As previously discussed, implementation of the Enhanced NAC-UMS[®] Universal Storage System for dry spent fuel storage is critical for continued operation of the Palo Verde and McGuire nuclear generating stations. Therefore, NAC requests that the NRC continue the priority review as scheduled for this amendment request.

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Also, please note that NAC moved its corporate offices in mid-February. The new address is:

NAC International
3930 East Jones Bridge Road
Norcross, GA 30092

If you have any comments or questions, please contact me directly at (678) 328-1321.

Sincerely,

A handwritten signature in cursive script that reads 'TC Thompson'.

Thomas C. Thompson
Director, Licensing
Engineering & Design Services

Enclosures

cc: (w/o enclosures)

Paul Plante (MY)
Tom Williamson (MY)
Brian Hansen (APS)
Glenn Michael (APS)
David Jones (DE)
Keith Waldrop (DE)

**NAC INTERNATIONAL
AFFIDAVIT PURSUANT TO 10 CFR 2.790**

Willington J. Lee (Affiant), Vice President & Chief Engineer of NAC International, 655 Engineering Drive, Norcross, Georgia 30092, being duly sworn, deposes and says that:

1. Affiant has reviewed the information described in Item 2 and is personally familiar with the trade secrets and privileged information contained therein, and is authorized to request its withholding.
2. The information being sought to be withheld is the following four NAC International calculation packages in support of the amendment request for the NAC-UMS[®] Universal Storage System with Enhanced Design Features, which are being transmitted with NAC Letter No. ED20020138:
 - EA790-3006, Rev. 0, “Effective Conductivity, Density and Specific Heat Calculation of UMS PWR Fuel and Fuel Tube.”
 - EA790-3007, Rev. 0, “Enhanced UMS BWR Fuel Region and Fuel Tubes Effective Thermal Properties.”
 - EA790-3206, Rev. 3, “Thermal Analyses for UMS Transfer Cask/Canister for PWR Fuel.”
 - EA790-3207, Rev. 1, “Transfer Cask Transient Analysis – Enhanced UMS BWR.”

NAC International is the owner of this information. This information is considered proprietary to NAC International.

3. NAC International makes this application for withholding of proprietary information based upon the exemption from disclosure set forth in: the Freedom of Information Act (“FOIA”), 5 USC Sec. 552(b)(4) and the Trade Secrets Act, 18 USC Sec. 1905, and NRC Regulations 10 CFR Part 9.17(a)(4), 2.790(a)(4), and 2.790(b)(1) for “trade secrets and commercial financial information obtained from a person, and privileged or confidential” (Exemption 4). The information for which exemption from disclosure is here sought is all “confidential commercial information,” and some portions may also qualify under the narrower definition of “trade secret,” within the meaning assigned to those terms for purposes of FOIA Exemption 4.
4. Examples of categories of information that fit into the definition of proprietary information are:
 - a. Information which discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by NAC’s competitors without license from NAC International constitutes a competitive economic advantage over other companies.
 - b. Information which, if used by a competitor, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality or licensing of a similar product.

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- c. Information which reveals cost or price information, production capacities, budget levels or commercial strategies of NAC International, its customers, or its suppliers.
- d. Information which reveals aspects of past, present or future NAC International customer-funded development plans and programs of potential commercial value to NAC International.
- e. Information that discloses patentable subject matter for which it may be desirable to obtain patent protection.

The information that is sought to be withheld is considered to be proprietary for the reasons set forth in Items 4a and 4b.

- 5. The information that is sought to be withheld is being transmitted to the United States Nuclear Regulatory Commission (NRC) in confidence.
- 6. The information sought to be withheld, including that compiled from many sources, is of a sort customarily held in confidence by NAC International, and is, in fact, so held. This information has, to the best of my knowledge and belief, consistently been held in confidence by NAC International. No public disclosure has been made, and it is not available in public sources. All disclosures to third parties, including any required transmittals to the NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence. Its initial designation as proprietary information, and the subsequent steps taken to prevent its unauthorized disclosure, are as set forth in Items 7 and 8 following.
- 7. Initial approval of proprietary treatment of a document is made by the Project Manager and/or the Director of Licensing, the persons most likely to know the value and sensitivity of the information in relation to industry knowledge. Access to proprietary documents within NAC International is limited via "controlled distribution" to individuals on a "need to know" basis. The procedure for external release of NAC proprietary documents typically requires the approval of the Project Manager based on a review of the documents for technical content, competitive effect and accuracy of the proprietary designation. Disclosures of proprietary documents outside of NAC International are limited to regulatory agencies, customers and potential customers and their agents, suppliers, licensees and contractors with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary agreements.

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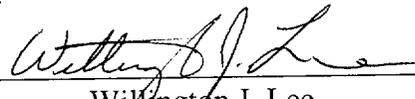
8. NAC International has invested a significant amount of time and money in the research, development, engineering and analytical costs to develop the information that is sought to be withheld as proprietary. This information is considered to be proprietary because it contains detailed descriptions of analytical approaches, methodologies, technical data and evaluation results not available elsewhere. The precise value of the expertise required to develop the proprietary information is difficult to quantify, but it is clearly substantial.
9. Public disclosure of the information that is sought to be withheld is likely to cause substantial harm to the competitive position of NAC International, as the owner of the information, and reduce or eliminate the availability of profit-making opportunities. The proprietary information is part of NAC International's comprehensive spent fuel storage and transport technology base, and its commercial value extends beyond the original development cost to include the development of the expertise to determine and apply the appropriate evaluation process. The value of this proprietary information and the competitive advantage that it provides to NAC International would be lost if the information were disclosed to the public. Making such information available to other parties, including competitors, without their having to make similar investments of time, labor and money would provide competitors with an unfair advantage and deprive NAC International of the opportunity to seek an adequate return on its large investment.

STATE OF GEORGIA, COUNTY OF GWINNETT

Mr. Willington J. Lee, being duly sworn, deposes and says:

That he has read the foregoing affidavit and the matters stated therein are true and correct to the best of his knowledge, information and belief.

Executed at Norcross, Georgia, this 13th day of March 2002.



Willington J. Lee
Vice President & Chief Engineer
NAC International



Subscribed and sworn before me this 13th day of March, 2002

MY COMMISSION EXPIRES MAY 15, 2005