

March 29, 2002

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

Attn: Document Control Desk

Subject: Submittal of NAC International Topical Report 790-TR-001, Revision 2, "Requirements for Dry Storage of High Burnup Fuel"

- References:
1. Submittal of NAC International Topical Report 790-TR-001, Revision 0, "Requirements for Dry Storage of High Burnup Fuel," (Proprietary Version), NAC International, July 25, 2001
 2. Submittal of Nonproprietary Version of the NAC International High Burnup Fuel Topical Report (790-TR-001-NP, Revision 0), NAC International, August 15, 2001
 3. Submittal of NAC International Topical Report 790-TR-001, Revision 1, "Requirements for Dry Storage of High Burnup Fuel," (Proprietary Version), NAC International, October 31, 2001
 4. Submittal of the Revised Nonproprietary Version of the NAC International High Burnup Fuel Topical Report (790-TR-001-NP, Revision 1), NAC International, October 31, 2001
 5. Notification of NAC International Intent to Submit Supplemental Information for Topical Report 790-TR-001, Revision 1, "Requirements for Dry Storage of High Burnup Fuel," NAC International, November 6, 2002

In accordance with Reference 5, as modified by subsequent conference calls, NAC International (NAC) herewith submits five copies of the NAC Proprietary Topical Report 790-TR-001, Revision 2, "Requirements for Dry Storage of High Burnup Fuel." Revision 2 incorporates requested changes identified by the NRC during the Acceptance Review of the Reference 3 submittal. The incorporated changes include a section defining the "fuel type" applicability of the methods presented, independent decay heat curves, and consideration of end of life rod pressures.

Complete new copies of the topical report with all of the pages designated as Revision 2 are provided. The pages with changes are identified on the Revision Control Sheet. Revision indicators (revision bars) are used to indicate the location of changes on the individual pages. Revision bars are not used to indicate text flow changes.

NAC Topical Report 790-TR-001, Revision 2, is NAC Proprietary Information. The executed Proprietary Information Affidavit is attached. NAC will submit a non-proprietary version of this Topical Report not later than April 12, 2002.

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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

NAC requests that the U.S. Nuclear Regulatory Commission (NRC) review this Topical Report and provide acceptance of the approach and methodology for predicting fuel cladding behavior during dry storage.

If you have any comments or questions, please contact me on my direct line at (678) 328-1321.

Sincerely,

A handwritten signature in cursive script that reads 'T C Thompson'.

Thomas C. Thompson
Director, Licensing
Engineering & Design Services

Enclosures

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

Willington J. Lee (Affiant), Vice President & Chief Engineer, of NAC International, hereinafter referred to as NAC, at 3930 East Jones Bridge Road, 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 that is sought to be withheld is the following NAC International topical report, which is being transmitted with NAC Letter No. ED20020171 dated March 29, 2002:
 - NAC International Topical Report 790-TR-001, Revision 2, "Requirements for Dry Storage of High Burnup Fuel"

NAC International is the owner of this information; the 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 meanings 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.
 - c. Information which reveals cost or price information, production capacities, budget levels or commercial strategies of NAC International, its customers, or its suppliers.

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(continued)

- 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 4.a and 4.b.

- 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.
- 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.

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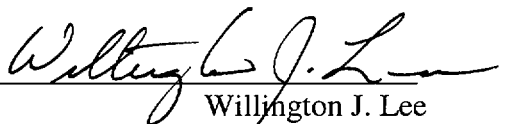
9. Public disclosure of the information sought to be withheld is likely to cause substantial harm to the competitive position of NAC International, as the owner of the information, and reduce or eliminate the availability of profit-making opportunities. The proprietary information is part of NAC International's 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 29th day of March 2002.


Willington J. Lee
Vice President & Chief Engineer
NAC International

Subscribed and sworn before me this 29 day of March, 2002.

**Notary Public, Cobb County, Georgia
My Commission Expires Nov. 4, 2002**