

March 9, 2007

Mr. Stefan Anton, Licensing Manager
Holtec International
Holtec Center
555 Lincoln Drive West
Marlton, NJ 08053

SUBJECT: NRC APPROVAL OF HOLTEC REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR HI-STAR 180
TRANSPORTATION CASK (TAC L24053)

Dear Mr. Anton:

By letter dated January 10, 2007, Holtec International (Holtec) submitted an affidavit, executed by Mr. Stefan Anton. Holtec requested that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

1. Proprietary information contained in Holtec Report HI-2063570, Proposed Revision 0, "Safety Analysis Report on the HI-STAR 180 Package."

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by Holtec's competitors without license from Holtec International 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; and
- c. Information which discloses 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 proprietary information contained in Holtec Report HI-2063570, Proposed Revision 0, "Safety Analysis Report on the HI-STAR 180 Package" 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 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 of the date of public disclosure in advance, which will be a reasonable time thereafter.

If you have any questions regarding this matter, I may be reached at 301-415-8500.

Sincerely,

/RA/

Kimberly J. Hardin, Project Manager
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-9325
TAC No. L24053

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Kimberly J. Hardin, Project Manager
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