May 31, 2007

Mr. Evan Rosenbaum
Project Manager
Holtec International
555 Lincoln Drive West
Marlton, NJ 08053

SUBJECT: NRC APPROVAL OF HOLTEC INTERNATIONAL REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (TAC 24085)

Dear Mr. Rosenbaum:

By letter dated April 27, 2007, (Holtec Letter 5014618) Holtec International submitted information to the U.S. Nuclear Regulatory Commission. The letter requested that the information contained in the following Attachments to the April 27, 2007, letter be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

1) Attachment 6: "Holtec Calculation Packages HI-2043168, Revision 4, HI-2043272, Revision 2, and HI-2053389, Revision 3,"
2) Attachment 7: "International Civil Engineering Consultants, Inc. (ICEC) Calculation Package 1160-01, Revision 1," and
3) Attachment 8: "New and Revised Computer Data Files for Documents in Attachments 6 and 7."

You subsequently provided non-proprietary versions of the Calculation Packages in Attachments 6 and 7 by letter dated May 29, 2007. Attachment 8 contained electronic information not conducive for redaction and release to the public in a non-proprietary format.

Attachment 4 to the April 27, 2007, letter contained an affidavit dated April 26, 2007, executed by Evan Rosenbaum, of Holtec International. The April 26, 2007, affidavit stated that the information in Attachment 6 and related information in Attachment 8 to the April 27, 2007, letter, listed above, should be considered exempt from mandatory public disclosure for the following reasons:

1) 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;

2) 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.

Attachment 5 to the April 27, 2007, letter contained an affidavit dated April 23, 2007, executed by Dr. Wen S. Tseng, of ICEC. The April 23, 2007, affidavit stated that the information in Attachment 7 and related information in Attachment 8 to the April 27, 2007, letter, listed above, should be considered exempt from mandatory public disclosure for the following reasons:

1) Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by ICEC's competitors without license from ICEC constitutes a competitive economic advantage over other companies;

2) 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, Attachments 6, 7, and 8 (in their entirety) to Holtec letter, dated April 27, 2007, Document ID 5014618, and which is 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 301-492-3327.

Sincerely,

/RA/

Christopher M. Regan, Senior Project Manager
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket No. 72-1014
TAC No. L24085

1) Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by ICEC's competitors without license from ICEC constitutes a competitive economic advantage over other companies;

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Christopher M. Regan, Senior Project Manager
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