

December 7, 2011

Mr. Anthony Patko
Director, Licensing
Engineering
NAC International
3930 East Jones Bridge Road, Suite 200
Norcross, GA 30092

SUBJECT: NRC APPROVAL OF NAC INTERNATIONAL'S REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR THE MODEL NO. NAC-
LWT AUTHORIZATION REQUEST (TAC NO. L24602)

Dear Mr. Patko:

By letter dated November 10, 2011, NAC International (NAC) submitted a supplement to an application to the Nuclear Regulatory Commission (NRC) for a letter authorization for Certificate of Compliance (CoC) No. 9225 for the Model No. NAC-LWT. Your November 10, 2011, letter included a TN affidavit, signed by Thomas A. Danner, dated November 10, 2011.

The NAC affidavit requested that the material, which is contained in the Enclosures to the letter be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations (10 CFR) Section 2.390.

Your affidavit requests that the information be withheld from public disclosure pursuant to 10 CFR 2.390 for the following reasons:

- (1) The information is owned and has been held in confidence by NAC as trade secrets and commercial financial information obtained from a person and is considered to be privileged and confidential;
- (2) The information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by competitors of NAC, without license by NAC, constitutes a competitive economic advantage over other companies,
- (3) The information, 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, and
- (4) The information discloses patentable subject matter for which it may be desirable to obtain patent protection.

We have reviewed your application and all the supporting information 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.

A. Patko

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Therefore, the Enclosures to NAC's letter dated November 10, 2011, 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, you may contact me at (301) 492-3339.

Sincerely,

/RA/

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

Docket No. 71-9225
TAC No. L24602

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