

September 19, 2013

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

Attn: Document Control Desk

Subject: Submission of a Request to Amend the U.S. Nuclear Regulatory Commission Certificate of Compliance No. 1031 for the NAC International MAGNASTOR[®] Cask System

Docket No. 72-1031

- References:
1. U.S. Nuclear Regulatory Commission (NRC) Certificate of Compliance (CoC) No. 1031 for the NAC International MAGNASTOR Cask System, Amendment No. 2, January 30, 2012
 2. MAGNASTOR Cask System Final Safety Analysis Report (FSAR), Revision 4, NAC International, February 2013
 3. ED20130052, Submission of a Request to Amend the U.S. Nuclear Regulatory Commission Certificate of Compliance No. 1031 for the NAC International MAGNASTOR Cask System, NAC International, June 18, 2013
 4. Application for Amendment to materials Certificate of Compliance No. 1031, Docket No. 72-1031 – Supplemental Information Needed, US Nuclear Regulatory Commission, August 8, 2013
 5. ED20130130, Submission of NAC's Response to the US NRC RSI for NAC's Request to Amend CoC No. 1031 for the NAC MAGNASTOR Cask System, NAC International, September 6, 2013

NAC International (NAC) hereby submits a supplement to Reference 3 based on a public/closed meeting with the NRC Staff on September 9, 2013 where References 4 and 5 were discussed. This supplement modifies the request to amend Reference 1, described in Reference 3, as follows:

Revise LCO 3.1.1, Section 1, first table "PWR TSC Transfer with Reduced Helium Backfill Time" as follows:

- Row 1, 4th column, change from "No limit" to "600"

The resulting first table in LCO 3.1.1 will read as follows:

PWR TSC Transfer with Reduced Helium Backfill Time

Heat Load (kW)	Vacuum Time Limit (hours)	Helium Backfill Time (hours)	TSC Transfer Time (hours)
≤20	No limit	0	600
≤25	50	7	70.5
≤30	19	7	8
≤35.5	15	7	8

The 600-hour transfer time limit for the ≤20 kW heat load PWR TSC in this supplement to Reference 3 is bounded by the thermal analyses demonstrating that the time for transferring the helium backfilled TSC into the concrete cask is unlimited (See Page 4.4-33, Revision 13C of the MAGNASTOR FSAR). This request is also substantiated by the NRC approved and licensee implemented transfer time limits contained in the NAC UMS Storage System (72-1015) and the NAC-MPC Storage System (72-1025) Technical Specifications (LCO 3.1.4 in CoC 1015 Amendment 5, and CoC 1025 Amendment 6, respectively).

The analyses contained in the supporting NAC proprietary calculations submitted via Reference 5 demonstrating acceptability of unlimited TSC transfer time for the ≤20 kW heat load PWR TSC envelop the 600-hour TSC transfer time requested in this supplement.

Enclosed in this submittal package are the Revision 13C changed pages to Reference 2, as modified by Reference 3, that support revising Reference 1. This submittal includes one proprietary and one nonproprietary version of this submittal package. Attached to this letter is a signed affidavit requesting the included proprietary information be withheld from public disclosure via 10 CFR 2.390.

Consistent with NAC administrative practice, this proposed FSAR revision is numbered to uniquely identify the applicable changed pages. Revision bars mark the FSAR text changes on the Revision 13C pages. The included List of Effective Pages identifies the revision level of all pages in the Reference 2 FSAR with Revision 13A and 13C incorporated.

In order to better facilitate the review process, NAC is providing the Revision 13C change pages with appropriate backing pages. In accordance with NAC's administrative practices, upon final acceptance of this application, the 13A and 13C changed pages will be reformatted and incorporated into the next revision of the MAGNASTOR FSAR.

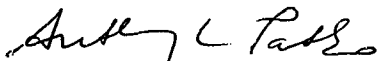
The MAGNASTOR CoC Amendment 3 final rule effective date postdates Reference 3. None of the changes requested in Reference 3 and in this supplement depends on Amendment 3.

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Therefore, Reference 3, including this supplement, continues to be based on MAGNASTOR FSAR Revision 4 and CoC Amendment 2. The requested amendment is being referred to as CoC Amendment 4.

If you have any comments or questions, please contact me on my direct line at 678-328-1274.

Sincerely,



Anthony L. Patko
Director, Licensing
Engineering

Enclosures:

- Enclosure 1 – List of Changes for MAGNASTOR Technical Specification, Amendment 4 Supplement
- Enclosure 2 – List of Changes for MAGNASTOR FSAR, Revision 13C, Amendment 4 Supplement
- Enclosure 3 – FSAR Changed Pages and LOEP, MAGNASTOR FSAR, Revision 13C, Amendment 4 Supplement

Craig K. Seaman (Affiant), Sr. Vice President, Engineering, Licensing, External Affairs 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 to be withheld includes the following NAC Proprietary Information that is being provided to support the technical review of NAC's Request for an Amendment of Certificate of Compliance (CoC) (No. 1031) for the NAC International MAGNASTOR System.

- Page 4.4-33 of MAGNASTOR FSAR, Revision 13C

NAC is the owner of the information contained in the above documents. Thus, all of the above identified information is considered NAC Proprietary Information.

3. NAC 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), 2.390(a)(4), and 2.390(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 herein 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 that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by competitors of NAC, without license from NAC, constitutes a competitive economic advantage over other companies.
 - b. Information that, 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 that reveals cost or price information, production capacities, budget levels or commercial strategies of NAC, its customers, or its suppliers.
 - d. Information that reveals aspects of past, present or future NAC customer-funded development plans and programs of potential commercial value to NAC.
 - 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, 4.b, and 4.d.

5. The information to be withheld is being transmitted to the 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, and is, in fact, so held. This information has, to the best of my knowledge and belief, consistently been held in confidence by NAC. 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/information is made by the Vice President, Engineering, the Project Manager, the Licensing Specialist, or the Director, 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 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 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 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/or 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 to be withheld is likely to cause substantial harm to the competitive position of NAC, as the owner of the information, and reduce or eliminate the availability of profit-making opportunities. The proprietary information is part of NAC’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 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 of the opportunity to seek an adequate return on its large investment.

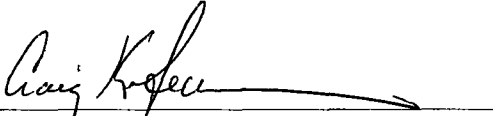
NAC INTERNATIONAL
AFFIDAVIT PURSUANT TO 10 CFR 2.390

STATE OF GEORGIA, COUNTY OF GWINNETT

Mr. Craig K. Seaman, being duly sworn, deposes and says:

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

Executed at Norcross, Georgia, this 19th day of September, 2013.



Craig K. Seaman
Sr. Vice President, Engineering, Licensing, External Affairs
NAC International

Subscribed and sworn before me this 19th day of September, 2013.



Notary Public

