



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 11, 2017

Mr. Wren Fowler
Director, Licensing
NAC International
3930 East Jones Bridge Road, Suite 200
Norcross, GA 30092

SUBJECT: APPROVAL OF NAC INTERNATIONAL REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Fowler:

By letters dated March 15, 2016 (see Agencywide Documents Access and Management System (ADAMS) Accession No. ML16098A007) and July 19 (see ADAMS Accession Nos. ML16210A212), you submitted affidavits dated March 15, and July 19, 2016; requesting that the information contained in these submittals for the amendment to uncanistered high burnup spent fuel as authorized contents to the Model No. NAC-STCT package be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390. The proprietary information in NAC International's (NAC's) response includes:

- Responses to request for additional information,
- NAC International Proprietary Calculations,
- Report No. 1500701.100, Rev. 2, and
- NAC-STC SAR Revisions 16A and 16B – Proprietary versions.

A non-proprietary copy of these documents, as appropriate, were placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the ADAMS Public Electronic Reading Room.

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

- 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.
- 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.
- Information that reveals aspects of past, present, or future NAC customer-funded development plans and programs of potential commercial value to NAC.

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 version(s) of the submitted information 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.

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 301-415-6577.

Sincerely,

/RA/

Bernard H. White IV, Senior Project Manager
Spent Fuel Licensing Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-9235
TAC No. L25096

Therefore, the version(s) of the submitted information 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.

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Bernard H. White, Senior Project Manager
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Division of Spent Fuel Management
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Docket No. 71-9235
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ADAMS Accession No.: ML17012A010

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