



April 27, 2018

Yen Chen, Project Manager – Licensing Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety and Safeguards

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Docket No. 72-1032, Certificate of Compliance (CoC) No. 1032

- Reference:
1. “Holtec International HI-STORM Flood/Wind Multipurpose Canister Storage System Amendment Request 1032-4” (Letter No. 5018043 from Kimberly Manzione (Holtec) to Mark Lombard (NRC) dated March 11, 2016)
 2. “Amendment No. 4 to Certificate of Compliance No. 1032 for the HI-STORM Flood/Wind Multipurpose Canister Storage System – Request for Additional Information” (Letter from Jose Cuadrado (NRC) to K. Manzione (Holtec), dated January 19, 2018)

Subject: HI-STORM FW Amendment 4 Response to Request for Additional Information

Dear Ms. Chen:

By letter dated January 19, 2018 [2], NRC staff documented requests for additional information (RAIs) that are required to complete their detailed technical review of HI-STORM FW CoC 1032 Amendment Request 4 [1] submitted March 11, 2016.

Holtec’s responses to NRC staff RAIs and supporting information are in the attachments to this letter. This submittal also includes some minor additional proposed changes together with the corresponding supporting information, and the Summary of Proposed Changes (SOPC) is revised accordingly.

The RAIs responses and additional changes result in revisions to the previously proposed changes to HI-STORM FW CoC 1032, including Appendices A and B, and to the proposed changes to Chapters 1, 2, 3, 4, 5 and 6 of the HI-STORM FW FSAR.

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Attachment 1 to this letter contains the revised SOPC. Responses to RAIs are in Attachment 2 to this letter. Proposed changes to the Certificate of Compliance and Appendices A & B are contained in Attachment 3. Updated proposed HI-STORM FW FSAR changes as a result of the RAIs and additional changes are in Attachment 4 (non-proprietary) and Attachment 5 (proprietary, includes revised MPC-32ML drawing). Attachments 6, 7, 8 and 9 contain revised structural, thermal, shielding and criticality calculation packages and data files respectively. Attachments 5 through 9 are considered proprietary by Holtec. Attachment 10 contains an affidavit in accordance with 10 CFR 2.390 requesting the information in Attachments 5 through 9 be withheld from public disclosure.

Please contact me at (856)797-0900 extension 3844 if you have any questions or require any additional information.

Sincerely,

Royston Ngwayah
Licensing Engineer,
Holtec International

cc: (letter only without attachments)
Mark Lombard (NRC)
John McKirgan (NRC)

Attachments:

- Attachment 1: Summary of Proposed Changes (SOPC) for HI-STORM FW CoC 1032 Amendment 4, Revision 1 (non-proprietary)
- Attachment 2: HI-STORM FW CoC Amendment 4 RAI Responses (non-proprietary)
- Attachment 3: HI-STORM FW CoC and Appendices A & B, changed pages (non-proprietary)
- Attachment 4: HI-STORM FW FSAR (Report HI-2114830 Proposed Rev. 5.D), changed pages (non-proprietary)
- Attachment 5: HI-STORM FW FSAR (Report HI-2114830 Proposed Rev. 5.D), changed pages and MPC-32ML Drawing 10464 Rev. 1 (Holtec proprietary)
- Attachment 6: Structural calculation package (Report HI-2166998 Rev. 2) and computer data



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files (Holtec proprietary)

Attachment 7: Thermal calculation package (Report HI-2094400 Rev. 23) and computer data files (Holtec proprietary)

Attachment 8: Shielding calculation package (Report HI-2094431 Rev. 13) and computer data files (Holtec proprietary)

Attachment 9: Criticality calculation package (Report HI-2094432 Rev 10) and computer data files (Holtec proprietary)

Attachment 10: Affidavit pursuant to 10 CFR 2.390

AFFIDAVIT PURSUANT TO 10 CFR 2.390

I, Stefan Anton, being duly sworn, depose and state as follows:

- (1) I have reviewed the information described in paragraph (2) which is sought to be withheld, and am authorized to apply for its withholding.
- (2) The information sought to be withheld are Enclosures 5 through 9 to Holtec Letter 5018058, which contain Holtec Proprietary information.
- (3) In making this application for withholding of proprietary information of which it is the owner, Holtec International relies 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 10CFR Part 9.17(a)(4), 2.390(a)(4), and 2.390(b)(1) for "trade secrets and commercial or financial information obtained from a person and privileged or confidential" (Exemption 4). The material for which exemption from disclosure is here sought is all "confidential commercial information", and some portions also qualify under the narrower definition of "trade secret", within the meanings assigned to those terms for purposes of FOIA Exemption 4 in, respectively, Critical Mass Energy Project v. Nuclear Regulatory Commission, 975F2d871 (DC Cir. 1992), and Public Citizen Health Research Group v. FDA, 704F2d1280 (DC Cir. 1983).

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- (4) Some examples of categories of information which 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 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.
 - c. Information which reveals cost or price information, production, capacities, budget levels, or commercial strategies of Holtec International, its customers, or its suppliers;
 - d. Information which reveals aspects of past, present, or future Holtec International customer-funded development plans and programs of potential commercial value to Holtec International;
 - e. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

The information sought to be withheld is considered to be proprietary for the reasons set forth in paragraphs 4.a, 4.b and 4.e above.

- (5) The information sought to be withheld is being submitted to the NRC in confidence. The information (including that compiled from many sources) is of a sort customarily held in confidence by Holtec International, and is in fact so held. The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by Holtec International. 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

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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 paragraphs (6) and (7) following.

- (6) Initial approval of proprietary treatment of a document is made by the manager of the originating component, the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge. Access to such documents within Holtec International is limited on a "need to know" basis.
- (7) The procedure for approval of external release of such a document typically requires review by the staff manager, project manager, principal scientist or other equivalent authority, by the manager of the cognizant marketing function (or his designee), and by the Legal Operation, for technical content, competitive effect, and determination of the accuracy of the proprietary designation. Disclosures outside Holtec International are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary agreements.
- (8) The information classified as proprietary was developed and compiled by Holtec International at a significant cost to Holtec International. This information is classified as proprietary because it contains detailed descriptions of analytical approaches and methodologies not available elsewhere. This information would provide other parties, including competitors, with information from Holtec International's technical database and the results of evaluations performed by Holtec International. A substantial effort has been expended by Holtec International to develop this information. Release of this information would improve a competitor's position because it would enable Holtec's competitor to copy our technology and offer it for sale in competition with our company, causing us financial injury.

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- (9) Public disclosure of the information sought to be withheld is likely to cause substantial harm to Holtec International's competitive position and foreclose or reduce the availability of profit-making opportunities. The information is part of Holtec International's comprehensive spent fuel storage technology base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and analytical methodology, and includes development of the expertise to determine and apply the appropriate evaluation process.

The research, development, engineering, and analytical costs comprise a substantial investment of time and money by Holtec International.

The precise value of the expertise to devise an evaluation process and apply the correct analytical methodology is difficult to quantify, but it clearly is substantial.

Holtec International's competitive advantage will be lost if its competitors are able to use the results of the Holtec International experience to normalize or verify their own process or if they are able to claim an equivalent understanding by demonstrating that they can arrive at the same or similar conclusions.

The value of this information to Holtec International would be lost if the information were disclosed to the public. Making such information available to competitors without their having been required to undertake a similar expenditure of resources would unfairly provide competitors with a windfall, and deprive Holtec International of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment in developing these very valuable analytical tools.

AFFIDAVIT PURSUANT TO 10 CFR 2.390

STATE OF NEW JERSEY)
)
) ss:
COUNTY OF CAMDEN)

Stefan Anton, being duly sworn, deposes and says:

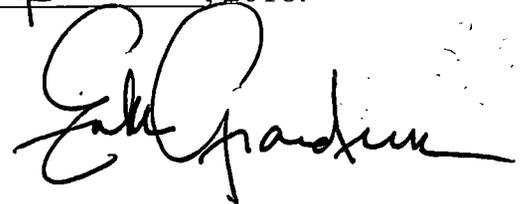
That he has read the foregoing affidavit and the matters stated therein are true and correct to the best of his knowledge, information, and belief.

Executed at Camden, New Jersey, this 27th day of April, 2018.



Stefan Anton
Vice President of Engineering
Holtec International

Subscribed and sworn before me this 27th day of April, 2018.



Erika Grandrimo
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES January 17, 2022