

June 18, 2018

Mr. Mark B. Johnson
Managing Director
Croft Associates Limited
Building 4F, Culham Science Centre
Culham Abingdon
Oxfordshire, OX14 3DB, United Kingdom

SUBJECT: CROFT ASSOCIATES LIMITED REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (EPID NO. L-2018-LLA-0137)

Dear Mr. Johnson:

By letter dated March 31, 2018, Croft Associates Limited (Croft) submitted an affidavit, executed by you, requesting that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

- Design Drawings
- Croft Gas Leakage Calculation

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

- (1) The information sought to be withheld from public disclosure are detailed drawings and a detailed calculation associated with the Safkeg-HS transportation package, which are owned and have been held in confidence by Croft.
- (2) The information is of a type customarily held in confidence by Croft and not customarily disclosed to the public. Croft has a rational basis for determining the types of information customarily held in confidence by it.
- (3) Public disclosure of the information is likely to cause substantial harm to the competitive position of Croft because the information consists of descriptions of the design of the Safkeg-HS transportation package, the application of which provide a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with Croft, take marketing or other actions to improve their product's position or impair the position of Croft's product, and avoid developing similar data.

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 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.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

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 U.S. Nuclear Regulatory Commission (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 in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-6877.

Sincerely,

/RA/

Chris Allen, Project Manager
Spent Fuel Licensing Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-9338
EPID NO. L-2018-LLA-0137

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