



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

July 5, 2018

Mr. Jayant Bondre
Chief Technical Officer
Orano
TN Americas LLC
7135 Minstrel Way
Columbia, MD 21045

SUBJECT: TN AMERICAS LLC CERTIFICATE OF COMPLIANCE NO. 1029 – REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (EPID NO. L-2017-LLA-0390)

Dear Mr. Bondre:

By letter to the U.S. Nuclear Regulatory Commission (NRC), dated November 15, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17326A125), you submitted an affidavit dated November 14, 2017, executed by you, requesting that the information contained in the following proprietary documents for the Model No. Standardized Advanced NUHOMS® – 24PT1, 24PT4, and 32PTH2 package be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

1. Portions of certain updated final safety analysis report (UFSAR) chapters and drawings, "Proposed Amendment 4 Changes to the Standardized Advanced NUHOMS®" (Enclosure 4 to the letter dated November 15, 2017).
2. Certain computer files associated with Certificate of Compliance (CoC) No. 1029 Amendment 4, "List of Computer Files" (Enclosure 7 to the letter dated November 15, 2017).

A non-proprietary copy of the above document 1 was placed in NRC's Public Document Room and added to the ADAMS Public Electronic Reading Room.

Due to the extent of proprietary information found in the above document 2, the applicant was not required to submit a non-proprietary version of the document.

Your affidavit dated November 14, 2017, 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 involves portions of the UFSAR [updated final safety analysis report] and analysis computer files, all related to the design of the Standardized Advanced NUHOMS® dry spent fuel storage system, which are owned and have been held in confidence by TN Americas LLC.
- 2) The information is of a type customarily held in confidence by TN Americas LLC, and not customarily disclosed to the public. TN Americas LLC 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 TN Americas LLC, because the information consists of descriptions of the design of dry spent fuel storage systems, 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 TN Americas LLC, take marketing or other actions to improve their product's position or impair the position of TN Americas LLC's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.

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.

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 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.

J. Bondre

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If you have any questions regarding this matter, you may contact me at 301-415-1564 or Siva.Lingam@nrc.gov.

Sincerely,

/RA/

Siva P. Lingam, Project Manager
Spent Fuel Licensing Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 72-1029
EPID No. L-2017-LLA-0390

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ADAMS Accession No.: ML18186A454

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