



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

September 10, 2019

Mr. Prakash Narayanan
Chief Technical Officer
TN Americas LLC
7135 Minstrel Way
Columbia, MD 21045

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION APPROVAL OF TN AMERICAS' REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR COC 1029 RENEWAL (CAC NO. 001028)

Dear Mr. Narayanan:

By letter dated May 22, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19148A485), TN Americas LLC (TN) submitted an affidavit of the same date, executed by Ronda Jones, Notary Public State of Maryland (ADAMS Accession No. ML19148A486). You requested that the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

- Enclosure 2, Portions of various chapters and appendices of the Certificate of Compliance No. 1029 Renewal Application, Revision 0.

TN stated the information should be considered exempt from mandatory public disclosure for the following reasons:

- The information sought to be withheld from public disclosure involves operating experience with spent fuel storage system aging and details of spent fuel storage system aging management studies, associated with the renewal application for the Standardized Advanced NUHOMS® System, which are owned and have been held in confidence by TN Americas LLC.
- 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.
- Public disclosure of the information is likely to cause substantial harm to the competitive position of TN Americas LLC, because the information consists of operating experience with the aging degradation of Standardized Advanced NUHOMS® System loaded casks, and details of spent fuel storage system aging management studies and planned aging management strategies associated with the renewal application for the Standardized Advanced NUHOMS® System, 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 statement, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, "Enclosure 2, Portions of various chapters and appendices of the Certificate of Compliance No. 1029 Renewal Application, Revision 0," 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 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 of the date of public disclosure, in advance, which will be a reasonable time thereafter.

If you have any questions regarding this matter, please contact me at (301) 415-6293 or Christopher.Markley@nrc.gov.

Sincerely,

/RA/

Christopher T. Markley, Systems
Performance Analyst
Renewals and Materials Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No.: 72-1029
CAC No.: 001028
EPID No.: L-2019-RNW-0014

cc: Mr. Douglas Yates

U.S. NUCLEAR REGULATORY COMMISSION APPROVAL OF TN AMERICAS REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR COC 1029 RENEWAL (CAC NO. 001028), DOCUMENT DATE: September 10, 2019

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