

**INTERIM STORAGE
PARTNERS**

March 31, 2020
E-55412

Director, Division of Spent Fuel Management
Office of Nuclear Material Safety and Safeguards
U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville, MD 20852

Subject: Submission of ISP Draft Responses for Several RAIs and Associated Document Markups from First Request For Additional Information, Parts 1, 2 and Clarifications, Docket 72-1050 CAC/EPID 001028/L-2017-NEW-0002

- Reference: 1. Letter from John-Chau Nguyen (NRC) to Jeffery D. Isakson, "Interim Storage Partners LLC's License Application To Construct And Operate The Waste Control Specialists Consolidated Interim Storage Facility, Andrews County, Texas, Docket No. 72-1050 – First Request For Additional Information, Part 1," dated November 16, 2018
2. Letter from John-Chau Nguyen (NRC) to Jeffery D. Isakson, "Interim Storage Partners LLC's License Application To Construct And Operate The Waste Control Specialists Consolidated Interim Storage Facility, Andrews County, Texas, Docket No. 72-1050 – First Request For Additional Information, Part 2," dated March 6, 2019
3. Letter from John-Chau Nguyen (NRC) to Jeffery D. Isakson, "Interim Storage Partners LLC's License Application to Construct and Operate the Waste Control Specialists Consolidated Interim Storage Facility, Andrews County, Texas, Docket No. 72-1050 – Request for Clarification of Responses Related to Materials Review," dated February 3, 2020

NM5520
NM5526
NM55

4. Letter from Jack Boshoven (ISP) to Document Control Desk (NRC), "Interim Storage Partners (ISP) First Request for Additional Information (RAI) Proposed Updated Submittal Schedule, Docket 72-1050 CAC/EPID 001028/L-2017-NEW-0002," E-56106, dated February 14, 2020

Interim Storage Partners LLC hereby submits its draft responses to RAIs from References [1], [2], and [3] in preparation for meetings to be scheduled with NRC staff for discussion. The draft responses and associated application changed pages being submitted are consistent with those identified in Tables 1, 3, 4, and 5 of Reference [4], except that RAI NP-15-13-S is included in this draft submittal. Enclosure 2 (proprietary) contains the draft responses to the RAIs and associated marked up pages for the Safety Analysis Report. Enclosure 3 (non-proprietary) is the public version of Enclosure 2. Affidavits (Enclosure 1) are provided for the proprietary information.

Please note that the referenced calculations in the draft responses are not included in this submittal, but will be included when the final responses to these RAIs are submitted following meetings with the NRC Staff to discuss the draft responses. Finally, RAI NP-7-8 requested a copy of the proprietary settlement calculations for the NUHOMS[®] storage pad. As noted in the draft RAI response, SAR Sections 7.6.4 and 7.6.5 need to be updated to be consistent with the NAC pad evaluations included in the response to RAI NP-7-3. Those SAR updates are not included in this submittal, but will be included when the final responses to these RAIs are submitted following meetings with the NRC Staff to discuss the draft responses.

Should you have any questions regarding this submission, please contact me by telephone at (410) 910-6955, or by email at jack.boshoven@orano.group.

Sincerely,



Jack Boshoven
Chief Engineer CISF, Licensing and Engineering
Interim Storage Partners LLC

cc: John-Chau Nguyen, Senior Project Manager, U.S. NRC
Jeff Isakson, ISP LLC
Elicia Sanchez, ISP LLC
Renee Murdock, ISP LLC

Enclosures:

1. Affidavits Pursuant to 10 CFR 2.390
 - a. TN Americas
 - b. NAC International
2. Draft RAI Responses with associated SAR change pages (Proprietary)
3. Draft RAI Responses with associated SAR change pages (Public)

Enclosure 1 to E-55412

Affidavit Pursuant to 10 CFR 2.390

a. TN Americas

b. NAC International

AFFIDAVIT PURSUANT
TO 10 CFR 2.390

TN Americas LLC)
State of Maryland) SS.
County of Howard)

I, Prakash Narayanan, depose and say that I am the Chief Technical Officer of TN Americas LLC, duly authorized to execute this affidavit, and have reviewed or caused to have reviewed the information which is identified as proprietary and referenced in the paragraph immediately below. I am submitting this affidavit in conformance with the provisions of 10 CFR 2.390 of the Commission's regulations for withholding this information.

The information for which proprietary treatment is sought is contained in Enclosures 8 and 9 and is listed below:

- Enclosure 2 of E-55412, RAI NP-15-13-S Response

This document has been appropriately designated as proprietary.

I have personal knowledge of the criteria and procedures utilized by TN Americas LLC in designating information as a trade secret, privileged or as confidential commercial or financial information.

Pursuant to the provisions of paragraph (b) (4) of Section 2.390 of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure, included in the above referenced document, should be withheld.

- 1) The information sought to be withheld from public disclosure involves operating experience with spent fuel storage systems and details of spent fuel storage system associated with the fuel storage technology, 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 operating experience with NUHOMS® and details of NUHOMS® 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 planning in support of their processes, methods or apparatus.

Further the deponent sayeth not.



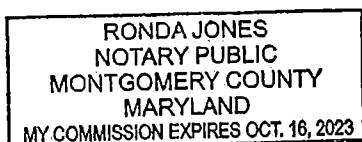
Prakash Narayanan
Chief Technical Officer, TN Americas LLC

Subscribed and sworn before me this 24th day of March, 2020.



Notary Public

My Commission Expires 10/16/2023



**NAC INTERNATIONAL
AFFIDAVIT PURSUANT TO 10 CFR 2.390**

George Carver (Affiant), Vice President, Engineering and Support Services, hereinafter referred to as NAC, at 3930 East Jones Bridge Road, Peachtree Corners, Georgia 30092, being duly sworn, deposes and says that:

1. Affiant has reviewed the information described in Item 2 and is personally familiar with the trade secrets and privileged information contained therein, and is authorized to request its withholding.
2. The information to be withheld includes the following NAC Proprietary Information that is being provided in support of the NRC review of SAR Revision 2 for Interim Storage Partners (ISP) Centralized Interim Storage Facility (CISF) site-specific license application (NRC Docket No. 72-1050).
 - Enclosure 2 of E-55412, RAI NP-4-4, Safety Analysis Report changed pages
 - Enclosure 2 of E-55412, RAI NP-7-3, Safety Analysis Report changed pages

NAC is the owner of this information that is considered to be NAC Proprietary Information.

3. NAC makes this application for withholding of proprietary information based 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 10 CFR Part 9.17(a)(4), 2.390(a)(4), and 2.390(b)(1) for "trade secrets and commercial financial information obtained from a person, and privileged or confidential" (Exemption 4). The information for which exemption from disclosure is herein sought is all "confidential commercial information," and some portions may also qualify under the narrower definition of "trade secret," within the meanings assigned to those terms for purposes of FOIA Exemption 4.
4. Examples of categories of information that 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 competitors of NAC, without license from NAC, constitutes a competitive economic advantage over other companies.
 - b. 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.
 - c. Information that reveals cost or price information, production capacities, budget levels or commercial strategies of NAC, its customers, or its suppliers.
 - d. Information that reveals aspects of past, present or future NAC customer-funded development plans and programs of potential commercial value to NAC.
 - e. Information that discloses patentable subject matter for which it may be desirable to obtain patent protection.

**NAC INTERNATIONAL
AFFIDAVIT PURSUANT TO 10 CFR 2.390 (continued)**

The information that is sought to be withheld is considered to be proprietary for the reasons set forth in Items 4.a, 4.b, and 4.d.

5. The information to be withheld is being transmitted to the NRC in confidence.
6. The information sought to be withheld, including that compiled from many sources, is of a sort customarily held in confidence by NAC, and is, in fact, so held. This information has, to the best of my knowledge and belief, consistently been held in confidence by NAC. 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 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 Items 7 and 8 following.
7. Initial approval of proprietary treatment of a document/information is made by the Vice President, Engineering, the Project Manager, the Licensing Specialist, or the Director, Licensing – the persons most likely to know the value and sensitivity of the information in relation to industry knowledge. Access to proprietary documents within NAC is limited via “controlled distribution” to individuals on a “need to know” basis. The procedure for external release of NAC proprietary documents typically requires the approval of the Project Manager based on a review of the documents for technical content, competitive effect and accuracy of the proprietary designation. Disclosures of proprietary documents outside of NAC are limited to regulatory agencies, customers and potential customers and their agents, suppliers, licensees and contractors with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary agreements.
8. NAC has invested a significant amount of time and money in the research, development, engineering and analytical costs to develop the information that is sought to be withheld as proprietary. This information is considered to be proprietary because it contains detailed descriptions of analytical approaches, methodologies, technical data and/or evaluation results not available elsewhere. The precise value of the expertise required to develop the proprietary information is difficult to quantify, but it is clearly substantial.

Public disclosure of the information to be withheld is likely to cause substantial harm to the competitive position of NAC, as the owner of the information, and reduce or eliminate the availability of profit-making opportunities. The proprietary information is part of NAC’s comprehensive spent fuel storage and transport technology base, and its commercial value extends beyond the original development cost to include the development of the expertise to determine and apply the appropriate evaluation process. The value of this proprietary information and the competitive advantage that it provides to NAC would be lost if the information were disclosed to the public. Making such information available to other parties, including competitors, without their having to make similar investments of time, labor and money would provide competitors with an unfair advantage and deprive NAC of the opportunity to seek an adequate return on its large investment.

NAC INTERNATIONAL
AFFIDAVIT PURSUANT TO 10 CFR 2.390 (continued)

STATE OF GEORGIA, COUNTY OF GWINNETT

Mr. George Carver, being duly sworn, deposes and says:

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

Executed at Peachtree Corners, Georgia, this 24th day of March, 2020.



George Carver
Vice President, Engineering and Support Services
NAC International

Subscribed and sworn before me this 24th day of March, 2020.

Jeannie Kline Tob
Notary Public

