

From: [White, Bernie](#)
To: ["Fowler, Samuel W." \(sfowler@nacintl.com\)](#)
Cc: [Baldner, Heath M. \(hbaldner@nacintl.com\)](#); [dchapman@nacintl.com](#)
Subject: FYI: Approval of NAC International Request for Withholding Proprietary Information from Public Disclosure for MAGNASTOR Amendment 9
Date: Wednesday, March 31, 2021 10:56:00 AM

Wren,

By letter dated October 9, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19296C938), as supplemented on April 9, 2020 (ADAMS Accession No. ML20108F317), you submitted affidavits dated October 9, 2019, and April 9, 2020, requesting that the proprietary information contained in these submittals for the Model No. MAGNASTOR storage cask be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390. The proprietary information in NAC International's (NAC's) application, as supplemented includes:

- List of Drawing Changes on Pages 2 thru 6 of 7
- Enclosure 4, NAC International Proprietary Calculations
 - 30076-2020, Rev. 0 and Data Disk 1 of 2
 - 30076-3001, Rev. 1 and Data Disk 2 of 2
 - 30076-3005, Rev. 1 and Data Disk 1 of 2
 - 30076-3010, Rev. 1 and Data Disk 1 of 2
 - 30076-3025, Rev. 0 and Data Disk 1 of 2
 - 30076-5002, Rev. 1 and Data Disk 1 of 2
 - 30076-5004, Rev. 1 and Data Disk 1 of 2
 - 30076-5005, Rev. 1 and Data Disk 1 of 2
 - 30076-6001, Rev. 0 and Data Disk 1 of 2
 - 71160-3001, Rev. 5 and Data Disk 1 of 2
 - 71160-3027, Rev. 3 and Data Disk 1 of 2
 - 71160-5016, Rev. 1 and Data Disk 1 of 2
 - 30076-5002, Rev. 2
- Enclosure 5, MAGNASTOR FSAR, Revision 19B, - Proprietary Version

A non-proprietary copy of these documents, as appropriate, were placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the ADAMS Public Electronic Reading Room.

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

- 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.
- 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.
- Information that reveals aspects of past, present, or future NAC customer-funded

development plans and programs of potential commercial value to NAC.

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.

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.

If you have any questions regarding this matter, feel free to reach out to me.

Docket No. 72-1031
Closes EPID No. L-2019-LLA-0220

Thanks
Bernie White
Senior Project Manager
Division of Fuel Management
Office of Nuclear Material Safety and Safeguards
(301) 415-6577