From:	White, Bernie
To:	Zaremba, Arthur H.
Cc:	"Fowler, Samuel W."; Baldner, Heath M.
Subject:	FYI: Approval of Request for Withholding Proprietary Information from Public Disclosure for Catawba and McGuire Exemptions for MAGNASTOR Storage Cask
Date:	Tuesday, April 06, 2021 8:18:00 AM

Mr. Zaremba,

By letter dated January 9, 2020 (see Agencywide Documents Access and Management System (ADAMS) Accession No. ML20009E527), as supplemented on March 12, 2020 (ADAMS Accession No. ML20072M224) Duke Energy submitted affidavits dated January 7 and March 9, 2020, from NAC International requesting that some of the information contained in these submittals for the exemptions 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 your submittals include:

- NAC International Calculation Package No. 71160-WP-020, “NAC International Assessment of Longitudinal Versus Transverse Charpy Impact Testing for A537 and A517 Materials,” Rev. 2;
- Sperko Engineering Services, Inc., “Evaluation of Ultrasonic Examination After Normalizing,” dated October 23, 2019;
- NAC Responses to Request for Additional Information for the MAGNASTOR Exemption Requests;
- NAC International Calculation Package No. 71160-WP-020, “NAC International Assessment of Longitudinal Versus Transverse Charpy Impact Testing for A537 and A517 Materials,” Rev. 3;
- Kobe Steel Ltd. Report No. PGA 19-0903, “Influence of Sampling Orientation on Lateral Expansion of Charpy Impact Test Specimen;” and
- Hitachi-Zosen “Record of Ultrasonic Examination of Leftover Material.”

A non-proprietary copy of this document, 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, as supplemented, and the material contained therein in accordance with the requirements of 10 CFR 2.390 and, on the basis of NAC’S 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. 72-0038 and 72-0045
EPID No. L-2020-LLE-0003 and L-2020-LLE-0004

Thanks
Bernie White
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