

**From:** [Chen, Yen-Ju](mailto:Chen, Yen-Ju)  
**To:** [C.O'Mullane@holtec.com](mailto:C.O'Mullane@holtec.com)  
**Subject:** Approval of Holtec Request for Withholding Information from Public Disclosure—Certificate of Compliance No. 1040, HI-STORM UMAX Storage System, Final Safety Analysis Report, Revision 7  
**Date:** Friday, May 14, 2021 8:11:00 AM

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Dear Mr. O'Mullane:

By letter dated April 23, 2001, you submitted affidavits requesting that certain information contained in the submittal for the HI-STORM UMAX Storage System, Final Safety Analysis Report, Revision 7 (ADAMS Accession No. ML21113A190), to be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations (10 CFR) Part 2, Section 2.390.

As applicable, a non-proprietary copy of the submittals is placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System 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 Holtec's competitors without license from Holtec International constitutes a competitive economic advantage over other companies.
- Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

We have reviewed the request in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the version 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, you may contact me at 301-415-1018.

Yen-Ju Chen  
Division of Fuel Management  
Office of Nuclear Material Safety and Safeguards  
Nuclear Regulatory Commission

301-415-1018