



GNS Gesellschaft für Nuklear-Service mbH · Postfach 10 12 53 · 45012 Essen

Document Control Desk
Director, Division of Fuel Management
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
USA

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Date: 08/25//2021

Subject: Response on request for supplemental information for 10 CFR 71 Application of the CASTOR® geo69 Spent Nuclear Fuel Transportation Package - Submission of revised SAR
(Docket No. 71-9383; EPID No. L-2021-NEW-0002)

Reference: REQUEST FOR CERTIFICATE OF COMPLIANCE FOR THE MODEL NO. CASTOR® GEO69 PACKAGE – REQUEST FOR SUPPLEMENTAL INFORMATION MAY 7, 2021

By letter dated May 7, 2021 NRC submitted a request for supplemental information on the application for approval acc. to 10 CFR 71 of the CASTOR® geo69 spent fuel package.

The response to this request and the on this basis revised sections of the SAR are enclosed to this letter. This response and the revised SAR contain certain information that is proprietary, confidential and a trade secret to GNS. Therefore, a non-proprietary version of the response and the SAR together with an affidavit prepared pursuant to 10 CFR 2.390 providing the basis for withholding of the GNS-proprietary information from public disclosure is enclosed to this letter.

Should the NRC staff require additional information to support review of this response, please do not hesitate to contact Mr. Dominik Bussmann at +49 201 109 1891, or by email at dominik.bussmann@gns.de.

Sincerely,

GNS Gesellschaft für Nuklear-Service mbH

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ppa. R.

i. A. D. Bussmann

- Enclosure 1: Affidavit Pursuant to 10 CFR 2.390
- Enclosure 2: Response on request for supplemental information, Proprietary Version
- Enclosure 3: Response on request for supplemental information, Non-Proprietary Version
- Enclosure 4: 1014-SR-00001 Rev. 1. Proprietary Version (revised sections only)
- Enclosure 5 1014-SR-00001 Rev. 1. Non-Proprietary Version (revised sections only)

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Georg Büth
Daniel Oehr (Chairman)
Dr.-Ing. Jens Schröder

AFFIDAVIT

PURSUANT TO 10 CFR 2.390

I, Dr.-Ing. Jens SCHRÖDER, depose and say that I am the Chief Technology Officer (CTO) of GNS Gesellschaft für Nuklear-Service mbH (a company duly organized under the German Law, having its seat at Frohnhauser Strasse 67, 45127 Essen, Germany), duly authorized to execute this affidavit.

I, Dr.-Ing. Rainer NÖRING, depose and say that I am Divisional Director of Cask Projects of GNS Gesellschaft für Nuklear-Service mbH (a company duly organized under the German Law, having its seat at Frohnhauser Strasse 67, 45127 Essen, Germany), duly authorized to execute this affidavit.

We, Dr.-Ing. Jens SCHRÖDER and Dr.-Ing. Rainer NÖRING, have reviewed or caused to have reviewed the information which is identified as confidential and referenced in the paragraph below. We are submitting this affidavit in conformance with the provisions of 10 CFR 2.390 of the Commission's regulations for withholding this information.

The information sought to be withheld from public disclosure is contained in the following Enclosures of letter T1213-CO-00012 and are listed below:

- Enclosure 2, Response on request for supplemental information, Proprietary Version,
- Enclosure 4, Safety Analyses Report (SAR), Type B(U)-F Transport Package CASTOR® geo69, GNS Report number 1014-SR-00001, Revision 1, Docket 71-9383, (Proprietary Version).

This documents has been appropriately designated as proprietary.

We have personal knowledge of the criteria and procedures utilized by GNS Gesellschaft für Nuklear-Service mbH in designating information as a proprietary 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 certain design details associated with the SAR analyses and SAR drawings of the CASTOR® geo69 transport package design, which are owned and have been held in confidence by GNS Gesellschaft für Nuklear-Service mbH.
- (2) The information is of a type customarily held in confidence by GNS Gesellschaft für Nuklear-Service mbH and not customarily disclosed to the public. GNS Gesellschaft für Nuklear-Service mbH has a rational basis for determining the types of information customarily held in confidence by it.
- (3) The information is being transferred to the Commission in confidence under the provisions of 10 CFR 2.390 with the understanding that it is to be received in confidence by the Commission.

- (4) The information, to the best of our knowledge and belief, is not available in public sources, and any disclosure to third parties has been made pursuant to regulatory provisions or confidentiality agreements which provide for maintenance of the information in confidence.
- (5) Public disclosure of the information is likely to cause substantial harm to the competitive position of GNS Gesellschaft für Nuklear-Service mbH because:
 - (a) A similar product is manufactured and sold by competitors of GNS Gesellschaft für Nuklear-Service mbH.
 - (b) Development of this information by GNS Gesellschaft für Nuklear-Service mbH required expenditure of considerable resources. To the best of our knowledge and belief, a competitor would have to undergo similar expense in generating equivalent information.
 - (c) In order to acquire such information, a competitor would also require considerable time and inconvenience related to the development of a design and analysis of a cask for the dry storage and transport of spent nuclear fuel.
 - (d) The information required significant effort and expense to obtain the licensing approvals necessary for application of the information. Avoidance of this expense would decrease a competitor's cost in applying the information and marketing of the product to which the information is applicable.
 - (e) The information consists of design features, analyses methods and calculation results related to the design and analyses of a transport package of spent nuclear fuel, the application of which provide a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to unfairly get a better competitive position with GNS Gesellschaft für Nuklear-Service mbH, take marketing or other actions to improve their product's position or impair the position of GNS Gesellschaft für Nuklear-Service mbH's product, while avoiding the expense of developing similar data and analyses in support of their processes, methods or apparatus.

- (f) In pricing GNS Gesellschaft für Nuklear-Service mbH's products and services, significant research, development, engineering, analytical, licensing, quality assurance and other costs and expenses must be included. The ability of GNS Gesellschaft für Nuklear-Service mbH's competitors to utilize such information without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.

Date: 16. August 2021

J. Schröder

Dr.-Ing. Jens SCHRÖDER
- Chief Technology Officer (CTO) -

GNS Gesellschaft für
Nuklear-Service mbH

Date: 16. August 2021

R. Nöring

Dr.-Ing. Rainer NÖRING
- Divisional Director of Cask Projects -

GNS Gesellschaft für
Nuklear-Service mbH

Subscribed and sworn to me before this 16th day of August, 2021.

J. Gores

Notary Public (Unterschrift des Notars)



Number 279 of Notary's Register of 2021

I herewith certify that the foregoing signatures are given by

**Dr.-Ing. Jens Schröder, born on 16.01.1969,
of known identity, and**

**Dr.-Ing. Rainer Nöring, born on 27.11.1968,
of known identity,**

both with their business address at Frohnhauser Str. 67, 45127 Essen.

The signatures were given today in Frohnhauser Str. 67, 45127 Essen.

Obligatory Statement according to German law:

According to Sec. 3 Para. 1 S. 1 No. 7 German Notarisation Law the Notary Public asked the appearers whether he or any member of his firm had acted in the matter which is the subject of this instrument, except in a notarial capacity. The appearers replied in the negative.

Essen, August, 16, 2021



(Dr. Goves)
Notary Public



APOSTILLE

(Convention de La Haye du 5 octobre 1961)

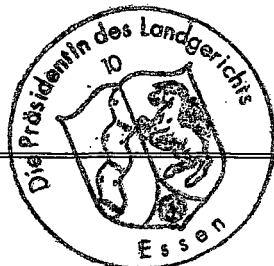
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2. **has been signed by / ist unterschrieben von**
Notary Public Dr. Joachim Gores / Notar Dr. Joachim Gores
3. **acting in the capacity of / in seiner Eigenschaft als**
Notary Public in Essen / Notar in Essen
4. **bears the seal / sie ist versehen mit dem Siegel**
of the Notary Public Dr. Joachim Gores in Essen / des Notars Dr. Joachim Gores in Essen

Certified / Bestätigt

5. at / in **E s s e n** 6. the / am **19. August 2021**
7. **by / durch** the President of the Regional Court Essen /
die Präsidentin des Landgerichts Essen
8. **No. / unter Nr. 91 E 1 /** **Sch 2784 / 2021**
9. **Seal / Stamp Siegel / Stempel:**



10. **Signature / Unterschrift:**
In Vertretung
Kretschmer
Kretschmer
Vizepräsident des Landgerichts