



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

Our reference: T1213-CO-00016
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Date: 01/12/2023

Subject: Additional response on request for supplemental information for 10 CFR 72
Application of the CASTOR® geo69 Dry Storage System - Submission of revised
SAR
(Docket No. 72-1052; EPID No. L-2021-NEW-0006)

Reference: REQUEST FOR CERTIFICATE OF COMPLIANCE FOR THE MODEL NO.
CASTOR® GEO69 STORAGE CASK – REQUEST FOR SUPPLEMENTAL
INFORMATION, OCTOBER 8, 2021

By letter dated October 18, 2021 NRC submitted a request for supplemental information on the application for approval acc. to 10 CFR 72 of the CASTOR® geo69 dry storage system.

In addition to the revised SAR submitted on December 21, 2022, the response on this request is enclosed to this letter.

With regard to the observations on the thermal chapter of the SAR, GNS prepared an external hard drive with calculation data. This hard drive (GNS inventory number 18746) is directly delivered to:

Mr. Bernard White
Mail Stop T4B16
11555 Rockville Pike
Rockville MD 20852 USA

The response on the request for supplemental information as well as the external hard drive with calculation data contain certain information that is proprietary, confidential and a trade secret to GNS. Therefore, a non-proprietary version of the response 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.

NM5520
NM5526
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IBAN DE28 3607 0050 0151 7804 00, BIC DEUTDE33XXX

USt-IdNr. DE 171892160, Steuer-Nr. 111/5714/1234
Chairman of the Supervisory Board: Dr. Guido Knott
Managing Directors:
Georg Büth
Daniel Oehr (Chairman)
Dr.-Ing. Jens Schröder



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

i.V. F. Kersch

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

AFFIDAVIT

PURSUANT TO 10 CFR 2.390

I, Dr.-Ing. Jens SCHRÖDER, depose and say that I am 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. Sascha KLAPPERT, depose and say that I am Divisional Director of Engineering 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. Sascha KLAPPERT, 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

- a) is contained in Enclosure 2 of letter T1213-CO-00016:
Response on request for supplemental information, Proprietary version
This document has been appropriately designated as proprietary.
- b) consists of electronic calculation data with regard to the thermal analysis of the CASTOR® geo69 DSS and is contained on the external hard drive with GNS inventory number 18746.
The entire content of the hard drive shall be considered 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 DSS 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 cask for the dry storage and transport of spent 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.

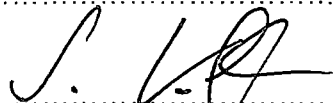
Date: 9 January 2023



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

**GNS Gesellschaft für
Nuklear-Service mbH**


Date: 9 January 2023



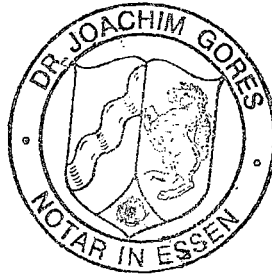
Dr.-Ing. Sascha KLAPPERT
- Divisional Director of Engineering -

**GNS Gesellschaft für
Nuklear-Service mbH**

Subscribed and sworn to me before this 9th day of January, 2023.


.....

Dr. Joachim Gores, Notary Public



Nummer GO-7 des Urkundenverzeichnisses für 2023
Number GO-7 of Notary's List of Deeds for 2023

Die vorstehenden, heute vor mir gefertigten Namensunterschriften von

I herewith certify that the foregoing signatures today is given by

Dr.-Ing. Jens Schröder, geb. am 16.01.1969, von Person bekannt,

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

und

and

Dr.-Ing. Sascha Klappert, geb. am 21.08.1972, von Person bekannt,

Dr.-Ing. Sascha Klappert, born on 21.08.1972, of known identity,

beide dienstansässig Frohnhauser Str. 67, 45127 Essen,

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

beglaubige ich hiermit.

Die Unterschriften wurden heute im Hause Frohnhauser Str. 67, 45127 Essen, geleistet.

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

Pflichtvermerk nach deutschem Recht:


Obligatory Statement according to German law:

Die Unterzeichner verneinten eine Vorbefassung im Sinne des § 3 Abs. 1 S. 1 Nr. 7 Beurkundungsgesetz, nachdem ihnen der Notar den Inhalt dieser Vorschrift erläutert hat.

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, den 9. Januar 2023

Essen, January, 9, 2023


(Dr. Gores)
Notar
Notary Public

APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country / Land:

Federal Republic of Germany / Bundesrepublik Deutschland

This public document / Diese öffentliche Urkunde

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

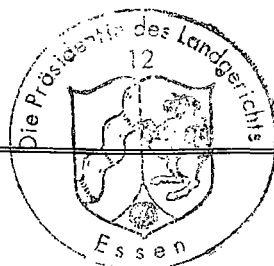
5. at / in E s s e n

6. the / am [12. JAN. 2023]

7. by / durch the President of the Regional Court Essen /
die Präsidentin des Landgerichts Essen

8. No. / unter Nr. 91 E 1 / Sdh 60 / 2023

9. Seal / Stamp Siegel / Stempel:



10. Signature / Unterschrift:

In Vertretung

Kreischmer

Kreischmer
Vizepräsident des Landgerichts