



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 13, 2023

Richard W. Boyle, Chief
Sciences Branch
Division of Engineering and Research
Office of Hazardous Materials Safety
U.S. Department of Transportation
1200 New Jersey Ave., S.E.
Washington, DC 20590

SUBJECT: APPROVAL OF THE REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE OF THE APPLICATION FOR JAPANESE CERTIFICATE OF COMPETENT AUTHORITY NO. J/2043/B(U), MODEL NO. JRF-90Y-950K PACKAGE (DOCKET NO. 71-3036)

Dear Mr. Richard W. Boyle:

During the review of the application for the Japanese Certificate of Competent Authority No. J/2043/B(U), Model No. JRF-90Y-950K package, revalidation recommendation request, the Edlow International Company (Edlow), on behalf of the Japan Atomic Energy Agency (JAEA) and as the U.S. Department of Transportation's applicant, submitted affidavits dated December 15, 2022 [Agencywide Documents Access and Management System (ADAMS) Accession No. ML23006A095], February 2, 2023 (revised affidavit, ML23046A040), and February 20, 2023 (revised affidavit, ML23058A284), requesting to withhold information contained in the application considered proprietary by the JAEA. Since the affidavit dated February 20, 2023, specified the documents considered proprietary, the documents included in such affidavit will be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390, including documents submitted after February 20, 2023, until the issuance of this licensing action.

Since the Nos. of the documents submitted with the application in January 2023 changed in the March 2023 submittal, the table below provides a walkthrough of the documents that will be withheld as proprietary and the document Nos. relative to their respective submittals.

Document No. based on the January 2023 submittal (ML23006A051)	Document No. based on the March 2023 submittal (ML23058A255)	Sensitive unclassified non-safeguards information category	Brief description of the document
---	1	Proprietary Information	Japanese JRF-90Y-950K Validation (Eng)
1	1-1	None	Japanese JRF-90Y-950K Validation (Eng)
2	5	None	Affidavit
4	2	Proprietary Information	English version of SAR for JRF-90Y-950K
3	2-1	Not Applicable	English version of SAR for JRF-90Y-950K
5	3	Proprietary Information	Summary of Change of SAR for Type JRF-90Y-950K
6	4	Proprietary Information	Comparison Table of SAR for Type JRF-90Y-950K

In general, the affidavit notes that the information submitted should be considered exempt from mandatory public disclosure for the following reasons:

- The information discloses descriptions of the design and analysis of the Model No. JRF-90Y-950K package, where prevention of its use by competitors of JAEA, without license from JAEA, constitutes a competitive economic advantage over other companies.
- The information, if used by a competitor, would reduce their expenditure of resources or improve their competitive position in the design, manufacturing, shipment, installation, and assurance of quality or licensing of a similar product.
- The information includes certain portions of the safety analysis report related to the design of the Model No. JRF-90Y-950K package, which are owned and are held in confidence by JAEA.

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, you may contact me at Norma.GarciaSantos@nrc.gov.

Sincerely,



Signed by Garcia Santos, Norma
on 06/13/23

Norma García Santos, Project Manager
Storage and Transportation Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-3036
EPID L-2023-DOT-0000