

October 26, 2023

U.S. Nuclear Regulatory Commission  
11555 Rockville Pike  
Rockville, MD 20852-2738

Attn: Document Control Desk

Subject: Supplement to NAC International's Submission of an Amendment Request for the NAC International MAGNASTOR® Cask System Amendment No. 15

Docket No. 72-1031

- References:
1. U.S. Nuclear Regulatory Commission (NRC) Certificate of Compliance (CoC) No. 1031 for the NAC International MAGNASTOR Cask System, Amendment No. 12, October 16, 2023
  2. MAGNASTOR Cask System Final Safety Analysis Report (FSAR), Revision 13, NAC International, January 2023
  3. ED20230099, Submission of an Amendment Request for the NAC International MAGNASTOR® Cask System Amendment No. 15, August 29, 2023
  4. ED20230123, Submission Data Files to Support the Request to Amend the U.S. Nuclear Regulatory Commission Certificate of Compliance No. 1031 for the NAC International MAGNASTOR® Cask System, Amendment No.15, August 29, 2023
  5. ED20230155, Submission Data Files to Support the Request to Amend the U.S. Nuclear Regulatory Commission Certificate of Compliance No. 1031 for the NAC International MAGNASTOR® Cask System, Amendment No.15, Supplement 01, October 26, 2023

NAC International (NAC) hereby submits a supplement to Reference 3 to amend Reference 1. This supplement package includes the addition of 1) two new PWR fuel types to support future site operations. These changes resulted in revision to Structural, Thermal, Shielding and Criticality chapters. 2) The Transportable Storage Canister (TSC) lid has been modified to allow additional clearance near the top center of the basket. Revised License drawings 71160-584, 585, 684 and 685 are provided herein. Additionally, we have made corrections and clarifications to Principal Design Criteria, Operating Procedures, and the Acceptance Criteria and Maintenance Program.

Enclosed in this amendment package are the Revision 23D changed pages to Reference 2 that support revising Reference 1. Enclosures 3 and 4 detail the list of FSAR and drawing changes, respectively. Enclosure 1 contains the proposed Technical Specification changes for this amendment. The changes to the Technical Specifications are tracked with revision bars and include the changes from both; 23A and 23B submittals. NAC is providing supporting

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proprietary calculations in Enclosure 2 for the listed changes. Data files for those calculations are being provided via Reference 5. Revision bars mark the FSAR text changes on the Revision 23D pages (Enclosure 5). The included List of Effective Pages (Enclosure 5) identifies the revision level of all pages in Reference 2.

This submittal includes one proprietary and non-proprietary version of this package. Consistent with NAC administrative practice, this proposed FSAR revision is numbered to uniquely identify the applicable changed pages. Upon final acceptance of this application, the 23A and 23E changed pages will be reformatted and incorporated into the next revision of the MAGNASTOR FSAR. Attached to this letter is a signed affidavit requesting all proprietary information be withheld from public disclosure via 10 CFR 2.390.

NAC is requesting an effective date for this amendment to be prior to July 2025.

If you have any comments or questions, please contact me on my direct line at 678-328-1252.

Sincerely,

**Heath M. Baldner** Digitally signed by Heath M. Baldner  
Date: 2023.10.26 14:52:19 -04'00'

Heath Baldner  
Director, Licensing  
Engineering

Attachment 1 – NAC International Affidavit Pursuant 10 CFR 2.390

Enclosures:

Enclosure 1 – Proposed CoC Changes, MAGNASTOR Amendment 15 Supplement 1, Revision 23E

Enclosure 2 – Supporting Calculations for MAGNASTOR FSAR, Amendment 15 Supplement 1, Revision 23E

Enclosure 3 – List of Changes for MAGNASTOR FSAR, Amendment 15 Supplement 1, Revision 23E

Enclosure 4 – List of Drawing Changes for MAGNASTOR FSAR, Amendment 15 Supplement 1, Rev. 23E

Enclosure 5 – FSAR Changed Pages and LOEP for MAGNASTOR FSAR, Amendment 15 Supplement 1, Revision 23E

**NAC INTERNATIONAL  
AFFIDAVIT PURSUANT TO 10 CFR 2.390**

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Doug Jacobs (Affiant), Vice President, Storage Projects, of NAC International, hereinafter referred to as NAC, at 2 Sun Court, Suite 220, Peachtree Corners, Georgia 30092, being duly sworn, deposes and says that:

1. Affiant has reviewed the information described in Item 2 and is personally familiar with the trade secrets and privileged information contained therein, and is authorized to request its withholding.
2. The information to be withheld includes the following NAC Proprietary Information that is being provided to support the technical review of NAC's Request for a Certificate of Compliance (CoC) (No. 1031) for the NAC International MAGNASTOR Cask System.
  - Enclosure 2 – Supporting Calculations for MAGNASTOR FSAR, Amendment 15, Revision 23E
  - Enclosure 4 – List of Drawing Changes for MAGNASTOR FSAR, Amendment 15, Rev. 23E
  - Enclosure 5- FSAR Changed Pages and LOEP for MAGNASTOR FSAR, Amendment 15, Revision 23E – Proprietary Version

NAC is the owner of the information contained in the above documents. Thus, all of the above identified information is considered NAC Proprietary Information.

3. NAC makes this application for withholding of proprietary information based upon the exemption from disclosure set forth in: the Freedom of Information Act (“FOIA”); 5 USC Sec. 552(b)(4) and the Trade Secrets Act; 18 USC Sec. 1905; and NRC Regulations 10 CFR Part 9.17(a)(4), 2.390(a)(4), and 2.390(b)(1) for “trade secrets and commercial financial information obtained from a person, and privileged or confidential” (Exemption 4). The information for which exemption from disclosure is herein sought is all “confidential commercial information,” and some portions may also qualify under the narrower definition of “trade secret,” within the meanings assigned to those terms for purposes of FOIA Exemption 4.
4. Examples of categories of information that fit into the definition of proprietary information are:
  - a. 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.
  - b. 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.
  - c. Information that reveals cost or price information, production capacities, budget levels or commercial strategies of NAC, its customers, or its suppliers.
  - d. Information that reveals aspects of past, present or future NAC customer-funded development plans and programs of potential commercial value to NAC.
  - e. Information that discloses patentable subject matter for which it may be desirable to obtain patent protection.

The information that is sought to be withheld is considered to be proprietary for the reasons set forth in Items 4.a, 4.b, and 4.d.

5. The information to be withheld is being transmitted to the NRC in confidence.

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6. The information sought to be withheld, including that compiled from many sources, is of a sort customarily held in confidence by NAC, and is, in fact, so held. This information has, to the best of my knowledge and belief, consistently been held in confidence by NAC. No public disclosure has been made, and it is not available in public sources. All disclosures to third parties, including any required transmittals to the NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary agreements, which provide for maintenance of the information in confidence. Its initial designation as proprietary information and the subsequent steps taken to prevent its unauthorized disclosure are as set forth in Items 7 and 8 following.
7. Initial approval of proprietary treatment of a document/information is made by the Vice President, Engineering, the Project Manager, the Licensing Specialist, or the Director, Licensing – the persons most likely to know the value and sensitivity of the information in relation to industry knowledge. Access to proprietary documents within NAC is limited via “controlled distribution” to individuals on a “need to know” basis. The procedure for external release of NAC proprietary documents typically requires the approval of the Project Manager based on a review of the documents for technical content, competitive effect and accuracy of the proprietary designation. Disclosures of proprietary documents outside of NAC are limited to regulatory agencies, customers and potential customers and their agents, suppliers, licensees and contractors with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary agreements.
8. NAC has invested a significant amount of time and money in the research, development, engineering and analytical costs to develop the information that is sought to be withheld as proprietary. This information is considered to be proprietary because it contains detailed descriptions of analytical approaches, methodologies, technical data and/or evaluation results not available elsewhere. The precise value of the expertise required to develop the proprietary information is difficult to quantify, but it is clearly substantial.
9. Public disclosure of the information to be withheld is likely to cause substantial harm to the competitive position of NAC, as the owner of the information, and reduce or eliminate the availability of profit-making opportunities. The proprietary information is part of NAC’s comprehensive spent fuel storage and transport technology base, and its commercial value extends beyond the original development cost to include the development of the expertise to determine and apply the appropriate evaluation process. The value of this proprietary information and the competitive advantage that it provides to NAC would be lost if the information were disclosed to the public. Making such information available to other parties, including competitors, without their having to make similar investments of time, labor and money would provide competitors with an unfair advantage and deprive NAC of the opportunity to seek an adequate return on its large investment.

**NAC INTERNATIONAL  
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STATE OF GEORGIA, COUNTY OF GWINNETT

Mr. Doug Jacobs, being duly sworn, deposes and says:

That he has read the foregoing affidavit and the matters stated herein are true and correct to the best of his knowledge, information and belief.

Executed at Peachtree Corners, Georgia, this 26<sup>th</sup> day of October, 2023.



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Doug Jacobs  
Vice President, Storage Projects  
NAC International

Subscribed and sworn before me this 26<sup>th</sup> day of October, 2023.

  
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Notary Public