



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

June 21, 2024

Heath M Baldner, Director  
Licensing, Engineering  
NAC International  
Atlanta Corporate Headquarters  
2 Sun Court, Suite 220  
Peachtree Corners, GA 30092

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION APPROVAL OF NAC INTERNATIONAL REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR AMENDMENT REQUEST FOR THE MAGNASTOR® CASK SYSTEM AMENDMENT NO. 15 (ENTERPRISE PROJECT IDENTIFIER L-2023-LLA-0143)

Dear Mr. Baldner:

By letters dated August 29, 2023, and October 26, 2023, NAC International (NAC) submitted affidavits executed by George Carver, Vice President, Engineering and Support Services, and Doug Jacobs, Vice President, Storage Projects, respectively, of NAC International, in which NAC requested that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390 (Agencywide Documents Access and Management System [ADAMS] Accession Nos. ML23241B053, ML23300A138, and ML23305A046, respectively):

- Supporting Calculations for MAGNASTOR Final Safety Analysis Report (FSAR), Amendment 15, Revision 23A
- List of Drawing Changes for MAGNASTOR FSAR, Amendment 15, Rev. 23A
- FSAR Changed Pages and List of Effective Pages (LOEP) for MAGNASTOR FSAR, Amendment 15, Revision 23A Proprietary Version
- Supporting Calculations for MAGNASTOR FSAR, Amendment 15, Revision 23E
- List of Drawing Changes for MAGNASTOR FSAR, Amendment 15, Rev. 23E
- FSAR Changed Pages and LOEP for MAGNASTOR FSAR, Amendment 15, Revision 23E Proprietary Version
- MAGNASTOR Proprietary Calculation - Data Disk 1 of 1

The affidavits stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

The information sought to be withheld is being submitted to the NRC in confidence. 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 your knowledge and belief, consistently been held in confidence by NAC. No public disclosure has been made, and it is not available in public sources.

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.

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 profitmaking 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.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the aforementioned documents marked as proprietary will be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* Section 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended. Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents.

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 U.S. Nuclear Regulatory Commission (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.

H. M. Baldner

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If you have any questions regarding this matter, I may be reached at 301-415-1035 or [Donald.Habib@nrc.gov](mailto:Donald.Habib@nrc.gov).

Sincerely,



Signed by Habib, Donald  
on 06/21/24

Donald Habib, Project Manager  
Storage and Transportation Licensing Branch  
Division of Fuel Management  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 72-1031  
CAC No.: 001028  
EPID No.: L-2023-LLA-0143

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DOCUMENT DATED: June 21, 2024

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**ADAMS Accession No.: ML24169A590**

**\*via email**

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