

February 6, 2006

Mr. Anthony L. Patko, Director  
Licensing  
NAC International, Inc.  
3930 East Jones Bridge Road  
Norcross, GA 30092

SUBJECT: NRC APPROVAL OF NAC INTERNATIONAL REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE FOR THE MAGNASTOR  
SYSTEM APPLICATION (TAC NO. L23764)

Dear Mr. Patko:

By letters dated September 29, and November 15, 2005, NAC International (NAC) submitted an affidavits dated September 29, and November 15, 2005, both executed by Thomas A. Danner. The letters submitted supplemental information related to the MAGNASTOR System application and requested the following information, annotated as proprietary, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

- 71160-3025, "NewGen VCC/PWR Canister Thermal Evaluation with Increased Flow Resistance," Revision 0, including input data files on one CD.
- 71160-3026, "NewGen VCCIBWR Canister Thermal Evaluation with Increased Flow Resistance," Revision 0, including input data files on one CD.
- 71160-3027, "Determination of Flow Resistances for PWR and BWR Fuel Assemblies," Revision 0, including input data files on one CD.
- 71160-3028, "Benchmark for the Turbulence Model for the Annulus Flow," Revision 0, including input data files on one CD.
- 71160-5051, "NewGen Storage Cask Occupational Exposure Evaluation," Revision 1, including input data files on one CD.
- 71160-5052, "NewGen Transfer Cask Occupational Exposure Evaluation," Revision 2, including input data files on one CD.
- 71160-5061, "NewGen PWR Skyshine Analysis," Revision 1, including input data files on one CD.
- 71160-5062, "NewGen BWR Skyshine Analysis," Revision 1, including input data files on one CD.
- "A Comparison of Skyshine Computational Methods," Hertel, Nolan E. et al, not for public release (accepted to be published in *Radiation Protection Dosimetry*, November 2005).

- EA790-4003, "PWR and BWR Enveloping Fuel Assembly Physical Descriptions," Revision 1, NAC-UMS Calculation Package.
- EA792-5001, "PWR and BWR Enveloping Fuel Assembly Descriptions for Nuclear Analysis," Revision 1, NAC-UMS Calculation Package.
- Fuel Bundle and Grid Information for the SVEA-96 Fuel Assembly Type, UMS Additional Information, Enclosure 9, Pages 48 and 49, submitted to the NRC on September 4, 1998.
- "Fuel Assembly Data for Cask Designs," Report No. EOO-19, Revision 0, Stoller Nuclear Fuel, October 16, 2000.

The November 15, 2005, letter and documents addressed format and electronic submittal concerns raised during the processing of the September 29, 2005, NAC request for additional information (RAI) response.

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

- a) Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by competitors to 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 aspects of past, present, or future NAC customer-funded development plans and programs of potential commercial value to NAC.

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, previously listed 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. 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 NRC. You should also 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

A. L. Patko

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adverse to the above, you will be notified of the date of public disclosure, in advance.

If you have any questions regarding this matter, I may be reached at 301-415-1396.

Sincerely,

/RA/

L. Raynard Wharton, Project Manager  
Licensing Section  
Spent Fuel Project Office  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 72-1031  
TAC No. L23764

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