

March 28, 2006

Mr. Stefan Anton, Licensing Manager
Holtec International
Holtec Center
555 Lincoln Drive West
Marlton, NJ 08053

SUBJECT: NRC APPROVAL OF HOLTEC REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR HI-STAR 100
TRANSPORTATION CASK (TAC L23651)

Dear Mr. Anton:

By letter dated February 23, 2006, Holtec International (Holtec) submitted an affidavit dated February 23, 2006, executed by Mr. Stefan Anton. You requested that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

1. Written responses to the Action Items
2. Updated Proprietary Proposed Rev. 12a Appendix 6.E of HI-STAR 100 Transportation Package SAR

The affidavit 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 Holtec's competitors without license from Holtec International constitutes a competitive economic advantage over other companies;
- b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

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 Written Responses to the Action Items and Proposed Rev. 12a Appendix 6.E of the HI-STAR 100 Transportation Package SAR 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 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, I may be reached at 301-415-2947.

Sincerely,

/RA/

Meraj Rahimi, Senior Project Manager
Licensing Section
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-9261
TAC No. L23651

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