



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

April 9, 2014

Mr. Anthony L. Patko, Director
Licensing Engineering
NAC International
3930 East Jones Bridge Road, Suite 200
Norcross, GA 30092

SUBJECT: APPROVAL OF NAC INTERNATIONAL REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Patko:

By letter dated March 5, 2014, you submitted an affidavit dated March 4, 2014, requesting that the information contained in NAC International's (NAC's) response to U.S. Nuclear Regulatory Commission (NRC) request for additional information be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390. The proprietary information in NAC's response includes:

- NAC Request for Additional Information Responses,
 - Pages 3-13, 15-16, 18-32, 34, 36, 38, 40-42, 44 and 46,
 - Proprietary Report 153-127680-IAD-002, Revision 0,
 - Proprietary Report 361103-164100-ASD-002, Revision 0, and
- NAC International Proprietary Calculations,
 - Calculation 65008500-2010, Revision 2 (Data Disks 1 of 1),
 - Calculation 65008500-3010, Revision 0 (Data Disks 1 of 1),
 - Fire Accident Analysis Data Input/Output Files (Data Disks 1 of 1), and
- NAC-LWT SAR, Revision 14B, Proprietary Version.

A non-proprietary copy of these documents, as appropriate, were placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

- 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.
- 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.
- 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, 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 301-287-0810.

Sincerely,

/RA/

Bernard H. White IV, Senior Project Manager
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-9225

TAC No. L24708

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 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 301-287-0810.

Sincerely,

/RA/

Bernard H. White, Senior Project Manager
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-9225
TAC No. L24708

DISTRIBUTION:
SFST r/f

G:\SFST\Bernie White\Casework\NAC-LWT\LWT - HEUNL\1st RAI\Proprietary withholding approval for RAI 1 response.doc

ADAMS Accession No.: ML14100A042

OFC	NMSS/SFST	NMSS/SFST	NMSS/SFST
NAME	BWhite	MDeBose	MSampson
DATE	4/7/14	4/8/14	4/9/14

OFFICIAL RECORD COPY