

March 15, 2016

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

Attn: Document Control Desk

Subject: Submission of Additional Information to NAC's Request for an Amendment of Certificate of Compliance (CoC) No. 9235 for the NAC-STC Cask to Incorporate PWR 17x17 Uncanisterized High Burnup Fuel

Docket No. 71-9235

- References:
1. Model No. NAC-STC Package, U.S. Nuclear Regulatory Commission (NRC) Certificate of Compliance (CoC) No. 9235, Revision 14, February 17, 2016
 2. Safety Analysis Report (SAR) for the NAC Storage Transport Cask (NAC-STC), Revision 17, NAC International, April 2011
 3. ED20130164, Request for an Amendment of Certificate of Compliance (CoC) No. 9235 for the NAC-STC Cask to Incorporate West Valley Demonstration Project Vitrified High Level Waste and PWR 17x17 Uncanisterized High Burnup Fuel, November 26, 2013
 4. NRC Letter, Application for the Revision of Certificate of Compliance No. 9235 for the Model NAC-STC (Revision 13A) – Supplemental Information Needed, February 12, 2014
 5. ED20140028, NAC Responses to the NRC Request for Supplemental Information for NAC's Request for an Amendment of Certificate of Compliance (CoC) No. 9235 for the NAC-STC Cask to Incorporate West Valley Demonstration Project Vitrified High Level Waste and PWR 17x17 Uncanisterized High Burnup Fuel, April 24, 2014
 6. NRC Letter, Application for Revising the Model No. NAC-STC Transport Package (TAC No. L24860), August 8, 2014
 7. ED20140081, NAC Response to NRC Letter on Insufficient Information for NAC's Request for an Amendment of Certificate of Compliance (CoC) No. 9235 for the NAC-STC Cask to Incorporate PWR 17x17 Uncanisterized High Burnup Fuel, August 15, 2014
 8. ED20140087, Submission of a Supplement in Response to NRC Letter on Insufficient Information for NAC's Request for an Amendment of Certificate of Compliance (CoC) No. 9235 for the NAC-STC Cask to Incorporate PWR 17x17 Uncanisterized High Burnup Fuel, August 29, 2014
 9. NRC Letter, Request for Additional Information for Review of the Certificate of Compliance No. 9235, for the Model No. NAC-STC Packaging (TAC No. L24860), March 2, 2015

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10. ED20150060, Submission of Responses to NRC Request for Additional Information for NAC's Request for an Amendment of Certificate of Compliance (CoC) No. 9235 for the NAC-STC Cask, June 5, 2015
11. ED20150113, Submission of Supplemented Responses to NRC Request for Additional Information for NAC's Request for an Amendment of Certificate of Compliance (CoC) No. 9235 for the NAC-STC Cask, August 12, 2015
12. ED20150118, Submission of Supplemented Responses to NRC Request for Additional Information for NAC's Request for an Amendment of Certificate of Compliance (CoC) No. 9235 for the NAC-STC Cask, September 11, 2015
13. Garcia-Santos, Norma, NAC-STC---WVDP HLW Questions\Revisions, October 9, 2015
14. ED20150136, Replacement Pages for NAC-STC, SAR Revision 15A, Certificate of Compliance No. 9235, October 15, 2015
15. NRC Letter, Unresolved Issues for the Application to Revise the Model No. NAC-STC Package to Add Directly – Loaded Uncanistered High Burnup Fuel as Authorized Contents, November 24, 2015

NAC International (NAC) hereby provides additional information in response to unresolved issues described in Reference 15. This submittal package includes one proprietary and one non-proprietary hard copy version of this package, which includes the Revision 16A changed pages (Enclosure 5) to the Reference 2, 3, 5, 8, 10, 11, and 14 SAR pages. Enclosure 1 includes responses to the issues presented in Reference 15 and supporting documentation for this submittal. Enclosure 2 contains a detailed list of drawing changes. Enclosure 3 contains a brief summary of the changes to the SAR for Revision STC-16A. Enclosure 4 includes the proposed changes to Reference 1. Note, the West Valley Demonstration Project scope has been approved and incorporated into CoC Revision 14. All proprietary information is requested to be withheld from public disclosure, see attachment to this letter, via 10 CFR 2.390.

Consistent with NAC administrative practice, this proposed SAR revision is numbered to uniquely identify the applicable changed pages. Revision bars mark the SAR text changes on the Revision STC-16A pages. In order to better facilitate the review process, NAC is providing the Revision STC-16A changed pages consolidated with all Reference 3 (Revision STC-13A), Reference 5 (Revision STC-14A), Reference 8 (Revision STC-14B), Reference 10 (Revision STC-15A), Reference 11 (Revision STC-15B), and Reference 14 (Revision STC-15A Replacement Pages) change pages. In accordance with NAC's administrative practices, upon final acceptance of this application, the STC-13A, -14A, -14B, -15A, -15B, and -16A changed pages will be reformatted and incorporated into the next revision of the NAC-STC SAR.



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If you have any comments or questions, please contact me on my direct line at 678-328-1236.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wren Fowler', with a large, stylized 'A' or 'F' flourish at the end.

Wren Fowler
Director, Licensing
Engineering

Attachment

Enclosures:

- Enclosure 1 – Additional Information and Supporting Documents for NAC-STC SAR, Revision 16A
- Enclosure 2 – List of Changes, NAC-STC SAR, Revision 16A
- Enclosure 3 – List of Drawing Changes, NAC-STC SAR, Revision 16A
- Enclosure 4 – Proposed Changes for Certificate of Compliance Revision 14, NAC-STC SAR, Revision 16A
- Enclosure 5 – SAR Page Changes and LOEP, NAC-STC SAR, Revision 16A

NAC INTERNATIONAL INC.
AFFIDAVIT PURSUANT TO 10 CFR 2.390

Kent Cole (Affiant), President and CEO, of NAC International Inc., hereinafter referred to as NAC, at 3930 East Jones Bridge Road, Norcross, 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 in support of an Amendment of Certificate of Compliance (CoC) No. 9235 for the NAC International NAC-STC Transport Package.
 - NAC-STC SAR pages marked as "NAC PROPRIETARY INFORMATION"
 - ED20160018, Enclosure 1, pages 2 thru 4 marked as "NAC PROPRIETARY INFORMATION"
 - ED20160018, Enclosure 3, pages 2 and 7 marked as "NAC PROPRIETARY INFORMATION"
 - NAC Calculation 423-1000, Rev. 1 and data disk 1 of 1
 - NAC Calculation 423-3000, Rev. 3 and data flash drive 1 of 1
 - NAC Calculation 423-5002, Rev. 0 and data disk 1 of 1
 - NAC Calculation 423-6001, Rev. 0 and data disk 1 of 1
 - J. Rashid, "Response to RAIs Dealing with Material Issues for NAC International Cask Licensing Application", Report No. 1500701.100, Revision 2, Anatech Corp.

NAC is the owner of this information that is considered to be 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.

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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.
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.

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.

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STATE OF GEORGIA, COUNTY OF GWINNETT

Mr. Kent Cole, 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 Norcross, Georgia, this 15th day of March 2016.



Kent Cole
President and CEO
NAC International Inc.

Subscribed and sworn before me this 15 day of MARCH, 2016.


Notary Public