

RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST

FOIA

NRC-2017-000683

RESPONSE NUMBER

1

RESPONSE
TYPE☐

INTERIM

☒

FINAL

REQUESTER:

Carmen Debord

DATE:

02/20/2018

DESCRIPTION OF REQUESTED RECORDS:

Copy of the publicly releasable portions of Attachment 1 of Holtec International Inc. letter to NRC dated June 9 2017 (ML17164A258) entitled "List of current and anticipated licensing amendments and new applications"

PART I. -- INFORMATION RELEASED

You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>

- ☐ Agency records subject to the request are already available on the Public NRC Website, in Public ADAMS or on microfiche in the NRC Public Document Room.
- ☒ Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☒ See Comments.

PART I.A -- FEES

AMOUNT*

\$0.00

*See Comments for details

- ☐ You will be billed by NRC for the amount listed.
- ☐ You will receive a refund for the amount listed.
- ☐ Fees waived.

NO FEES

- ☒ Minimum fee threshold not met.
- ☐ Due to our delayed response, you will not be charged fees.

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- ☐ We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- ☒ We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- ☐ Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- ☒ You may appeal this final determination within 90 calendar days of the date of this response by sending a letter or e-mail to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <https://ogis.archives.gov/about-ogis/contact-information.htm>

PART I.C COMMENTS (Use attached Comments continuation page if required)

The responsive record is attached. The prior case number for your request was FOIA/PA-2017-0685.

Signature - Freedom of Information Act Officer or Designee

 J. Blaney 2/20/18

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PART II.A -- APPLICABLE EXEMPTIONS

Records subject to the request are being withheld in their entirety or in part under the FOIA exemption(s) as indicated below (5 U.S.C. 552(b)).

- ☐ Exemption 1: The withheld information is properly classified pursuant to an Executive Order protecting national security information.
- ☐ Exemption 2: The withheld information relates solely to the internal personnel rules and practices of NRC.
- ☐ Exemption 3: The withheld information is specifically exempted from public disclosure by the statute indicated.
- ☐ Sections 141-145 of the Atomic Energy Act, which prohibits the disclosure of Restricted Data or Formerly Restricted Data (42 U.S.C. 2161-2165).
- ☐ Section 147 of the Atomic Energy Act, which prohibits the disclosure of Unclassified Safeguards Information (42 U.S.C. 2167).
- ☐ 41 U.S.C. 4702(b), which prohibits the disclosure of contractor proposals, except when incorporated into the contract between the agency and the submitter of the proposal.
- ☒ Exemption 4: The withheld information is a trade secret or confidential commercial or financial information that is being withheld for the reason(s) indicated.
- ☐ The information is considered to be proprietary because it concerns a licensee's or applicant's physical protection or material control and accounting program for special nuclear material pursuant to 10 CFR 2.390(d)(1).
- ☒ The information is considered to be another type of confidential business (proprietary) information.
- ☐ The information was submitted by a foreign source and received in confidence pursuant to 10 CFR 2.390(d)(2).
- ☐ Exemption 5: The withheld information consists of interagency or intraagency records that are normally privileged in civil litigation.
- ☐ Deliberative process privilege.
- ☐ Attorney work product privilege.
- ☐ Attorney-client privilege.
- ☐ Exemption 6: The withheld information from a personnel, medical, or similar file, is exempted from public disclosure because its disclosure would result in a clearly unwarranted invasion of personal privacy.
- ☐ Exemption 7: The withheld information consists of records compiled for law enforcement purposes and is being withheld for the reason(s) indicated.
- ☐ (A) Disclosure could reasonably be expected to interfere with an open enforcement proceeding.
- ☐ (C) Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
- ☐ (D) The information consists of names and other information the disclosure of which could reasonably be expected to reveal identities of confidential sources.
- ☐ (E) Disclosure would reveal techniques and procedures for law enforcement investigations or prosecutions, or guidelines that could reasonably be expected to risk circumvention of the law.
- ☐ (F) Disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- ☐ Other

PART II.B -- DENYING OFFICIALS

In accordance with 10 CFR 9.25(g) and 9.25(h) of the U.S. Nuclear Regulatory Commission regulations, the official(s) listed below have made the determination to withhold certain information responsive to your request.

DENYING OFFICIAL	TITLE/OFFICE	RECORDS DENIED	APPELLATE OFFICIAL	
			EDO	SECY
Stephanie Blaney	FOIA Officer/OCIO	Attachment to Holtec letter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Appeals must be made in writing within 90 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal."

ATTACHMENT 1 TO HOLTEC LETTER 5014824
HOLTEC INTERNATIONAL PROPRIETARY INFORMATION
TO BE WITHHELD IN ACCORDANCE WITH 10CFR 2.390

Submittal	Docket	Status	Description of Major items / Disciplines Involved	Estimated Submittal Date	Estimated Need Date
Upcoming Submittals - Definite					
(b)(4)					
HI-STORM UMAX Amendment 4	72-1040	To be submitted	<ul style="list-style-type: none"> - Inclusion of additional canisters - Affected disciplines: structural, thermal, shielding, criticality, materials 	(b)(4)	
(b)(4)					
Upcoming Submittals - Potential					
(b)(4)					

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Submittal	Docket	Status	Description of Major items / Disciplines Involved	Estimated Submittal Date	Estimated Need Date
(b)(4)					
Already Submitted					
HI-STORM FW Amendment #4	72-1032	RSI responses submitted 9/16/2016, supplement submitted 1/30/2017, awaiting acceptance letter /RAIs	<ul style="list-style-type: none"> - Addition of two new baskets, MPC-32ML and MPC-31C - Involves all disciplines 	3/11/2016	(b)(4)
HI-STORM 100 Amendment #11	72-1014	Initial RAI responses submitted 12/22/2016, awaiting follow-up RAIs	<ul style="list-style-type: none"> - Increased fuel assembly weight - Modification to inspection time for vent blockage scenario - Affected Disciplines: thermal, criticality, structural, shielding 	1/29/2016	
HI-STORM 100 Amendment #12	72-1014	RSI responses submitted 11/4/2016, awaiting RAIs.	<ul style="list-style-type: none"> - Reduced cooling time for 68M - Addition to Alloy X materials - Affected Disciplines: thermal, materials, shielding 	6/14/2016	
HI-STAR 100 Transportation Amendment #10	71-9261	2 nd round of RAI responses submitted 5/1/2017, on-going work to close open items	<ul style="list-style-type: none"> - Addition of HI-STAR HB GTCC and Diablo Canyon MPC-32 - Updates to align storage and transportation certificates - Affected disciplines: structural, thermal, shielding, criticality, materials 	1/29/2016	
HI-STAR 100 Storage License Amendment #3	72-1008	RAI responses submitted in 4/29/2016, awaiting follow-up	<ul style="list-style-type: none"> - Update to HI-STAR 100 storage license to align with transportation license - Affected disciplines: structural, thermal, shielding, criticality, materials 	9/25/2015	
HI-STAR ATB-1T Transport License	71-9375	Accepted for review, expecting RAIs 8/15/2017	<ul style="list-style-type: none"> - New nuclear waste transport cask - Affected disciplines: structural, thermal, shielding, criticality, materials 	2/6/2017	

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Submittal	Docket	Status	Description of Major items / Disciplines Involved	Estimated Submittal Date	Estimated Need Date
HI-STAR 80 Transport License	71-9374	Accepted for review, Holtec currently responding to RAls	- New spent fuel transport cask - Affected disciplines: structural, thermal, shielding, criticality, materials	8/13/2016	(b)(4)
HI-STORM UMAX Amendment #3	72-1040	Submitted 8/31/2016, awaiting acceptance review	- Addition of 24PT1-DSC to approved contents - Affected disciplines: structural, thermal, shielding, criticality, materials	8/31/2016	
HI-STORM FW Amendment #5	72-1032	Submitted 1/6/2017, and supplemented 5/12/2017	- Increased heat load, addition of duplex material, and new fuel types - Affected disciplines: thermal, criticality, materials	1/6/2017	
HI-STORE Consolidated Interim Storage	72-1051	Submitted 3/30/2017, awaiting acceptance review	- Site specific license for HI-STORE consolidated interim storage facility - Affected disciplines: structural, thermal, shielding, criticality, materials, environmental	3/30/2017	
Already Submitted, Technical Review Complete					
HI-STORM FW Amendment #3	72-1032	Draft SER received, expected in Federal Register, 3 rd quarter 2017	- Introduced burnup credit in storage - Affected Disciplines: criticality	12/18/2015	
HI-STAR 190 Transport Application	71-9373	Final SAR submitted 6/8/2017, awaiting signed CoC	- New HI-STAR version for MPC-37 and MPC-89 - Affected disciplines: structural, thermal, shielding, criticality, materials	8/7/2015	