



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

September 10, 2019

Mr. James M. Welsch
Senior Vice President Generation
and Chief Nuclear Officer
Diablo Canyon Power Plant
P.O. Box 56
Avila Beach, CA 93424

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION APPROVAL OF HOLTEC
INTERNATIONAL REQUEST FOR WITHHOLDING INFORMATION FROM
PUBLIC DISCLOSURE FOR HUMBOLDT BAY INDEPENDENT SPENT FUEL
STORAGE INSTALLATION RENEWAL PARTIAL REQUEST FOR ADDITIONAL
INFORMATION RESPONSES (CAC NO. 001028)

Dear Mr. Welsch:

By letter dated July 1, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19197A026), Pacific Gas & Electric (PG&E) submitted a partial response to the U.S. Nuclear Regulatory Commission's (NRC's) letter request for additional information (RAI), dated April 30, 2019 (ADAMS Accession No. ML19122A231). PG&E's response included an affidavit dated May 22, 2019, executed by Erika Grandrimo, Notary Public State of New Jersey. By letter dated July 25, 2019 (ADAMS Accession No. ML19221B564), PG&E submitted the remainder of the response to NRC's RAI information. A copy of that affidavit was also submitted in this letter. You requested that 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:

- Holtite A: Development History and Thermal Performance Data, Holtec Report HI-2002396, Rev. 5.
- American Seal Certificate of Conformance# 34048-CE for, HI-STAR Overpack Closure Plate Seals.

The submitted affidavit dated May 22, 2019, sworn by Kimberly Manzione of Holtec International, stated the information should be considered exempt from mandatory public disclosure for the following reasons, among other things:

- 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;
- 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
- The information sought to be withheld is being; submitted to the NRC in confidence. The information (including that compiled from many sources) is of a sort customarily held in confidence by Holtec International, and is in fact so held.

- The information classified as proprietary was developed and compiled by Holtec International at a significant cost to Holtec International. This information is classified as proprietary because it contains detailed descriptions of analytical approaches and methodologies not available elsewhere.
- Public disclosure of the information sought to be withheld is likely to cause substantial harm to Holtec International's competitive position and foreclose or reduce the availability of profit-making opportunities. 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 TN constitutes a competitive economic advantage over other companies.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statement, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, "Holtite A: Development History and Thermal Performance Data, Holtec Report HI-2002396, Rev. 5." and "American Seal Certificate of Conformance# 34048-CE for, HI-STAR Overpack Closure Plate Seals," 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, please contact me at (301) 415-6293 or Christopher.Markley@nrc.gov.

Sincerely,

/RA/

Christopher T. Markley, Systems
Performance Analyst
Renewals and Materials Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No.: 72-27
License No.: SNM-2514
CAC/EPID Nos. 001028/L-2018-RNW-0016

cc: Humboldt Bay Service List

Humboldt Bay ISFSI Renewal Service List

cc:

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