



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

December 20, 2019

Mr. Prakash Narayanan
Chief Technical Officer
TN Americas LLC
7135 Minstrel Way Suite 300
Columbia, MD 21045

SUBJECT: APPROVAL OF TN AMERICAS REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR COC NO. 1029 RENEWAL
REQUEST FOR SUPPLEMENTAL INFORMATION RESPONSES (CAC NO.
001028)

Dear Mr. Narayanan:

By letter dated May 22, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19148A485), TN Americas LLC (TN) submitted an application for renewal of Certificate of Compliance No. 1029 for the Standardized Advanced NUHOMS® System. By letter dated November 4, 2019 (ADAMS Accession No. ML19310F744), the NRC transmitted a request for supplemental information (RSI). By letter dated December 4, 2019 (ADAMS Accession No. ML19338E132), TN Americas LLC (TN) submitted a response to the NRC's RSI. TN's response included an affidavit dated December 4, 2019, executed by Ronda Jones, Notary Public in the State of Maryland. 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:

- Enclosure 2, Portions of the Request for Supplemental Information, Observations and Responses
- Enclosure 4, Portions of various chapters and appendices of the Certificate of Compliance No. 1029 Renewal Application, Revision 1
- Enclosures 6 and 7, Time-Limited Aging Analysis Calculations

The submitted affidavit stated the information should be considered exempt from mandatory public disclosure for the following reasons, among other things:

- The information sought to be withheld from public disclosure involves operating experience with spent fuel storage system aging and details of spent fuel storage system aging management studies, associated with the renewal application for the Standardized Advanced NUHOMS® System, which are owned and have been held in confidence by TN Americas LLC.
- The information is of a type customarily held in confidence by TN Americas LLC, and not customarily disclosed to the public. TN Americas LLC has a rational basis for determining the types of information customarily held in confidence by it.
- Public disclosure of the information is likely to cause substantial harm to the competitive position of TN Americas LLC, because the information consists of operating experience with the aging degradation of Standardized Advanced NUHOMS® System loaded casks,

and details of spent fuel storage system aging management studies and planned aging management strategies associated with the renewal application for the Standardized Advanced NUHOMS® System, the application of which provide a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with TN Americas LLC, take marketing or other actions to improve their product's position or impair the position of TN Americas LLC's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.

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. Further, these documents may be withheld in whole because the submitted response also contains public versions of these documents with the proprietary materials redacted.

Therefore, "Enclosure 2, Portions of the Request for Supplemental Information, Observations and Responses," "Enclosure 4, Portions of various chapters and appendices of the Certificate of Compliance No. 1029 Renewal Application, Revision 1," and "Enclosures 6 and 7, Time-Limited Aging Analysis Calculations," 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 Daniel Doyle for/

Christopher T. Markley, Systems
Performance Analyst
Storage and Transportation Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 72-1029
CAC No. 001028
EPID No. L-2018-RNW-0016

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