



January 16, 2020

Mr. Pierre Saverot, Project Manager  
Division of Fuel Management  
Office of Nuclear Material Safety and Safeguards  
ATTN: Document Control Desk  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Docket No.: Docket No. 71-9325 (HI-STAR 180 Model)  
EPID No: L-2019-LLA-0122

References: [1] Holtec Letter, Luis Hinojosa to Michael Layton, dated June 21, 2019  
(Initial submittal of LAR 9325-3 and request of CoC renewal)  
[2] Holtec Letter, Luis Hinojosa to Pierre Saverot, dated September 5, 2019  
(RSI responses submittal for LAR 9325-3)  
[3] USNRC Letter, Pierre Saverot to Luis Hinojosa, dated October 22, 2019  
(NRC's request for additional information)

Subject: Submittal of RAI responses for Holtec's LAR 9325-3 for the design certification  
of the HI-STAR 180 Transportation Package

Dear Mr. Saverot,

Holtec International is pleased to submit responses to the staff's requests for additional information [3] on Holtec's LAR 9367-2 for the design certification of the HI-STAR 180 Transportation Package [1] and [2].

Enclosure 1 contains Holtec's response to RAIs which is entirely non-proprietary. Enclosures 2 and 3 contain proprietary and non-proprietary versions of Holtec's enhanced application, Revision 7.B of the HI-STAR 180 SAR. Enclosure 4 contains proposed changes to the cask and basket licensing drawings. The impact limiter licensing drawing is unaffected by the RAIs but resubmitted as part of the complete SAR drawing package. Additional minor editorial enhancements (no technical changes) have been made to the application including SAR Table 2.1.10, Table 2.1.13, Table 4.A-1, Table 8.1.9, and SAR Subsection 8.1.2 as reflected in Enclosure 1.

Enclosures 5 and 6 contain supporting documents, including proprietary structural calculation packages.

Doc. I.D.: 1553043-NRC When separated from the enclosures, this cover letter is non-proprietary.  
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Enclosures 7 to this letter is an affidavit prepared in accordance with 10 CFR 2.390 requesting that Enclosures 2, 4 and 5 noted below as proprietary be withheld from public disclosure due to their proprietary nature. Enclosure 8 to this letter is an affidavit prepared by Westinghouse in accordance with 10 CFR 2.390 and pre-established protocol between Westinghouse and NRC. The affidavit in Enclosure 8 requests that Enclosure 6 noted below as proprietary be withheld from public disclosure due to its proprietary nature. All other documents mentioned in the affidavit in Enclosure 8 are not a part of this submittal.

If you have any questions, then please contact me at 856-797-0900, ext. 3698.

Sincerely,

Luis Hinojosa  
Corporate Adjunct Licensing Manager  
Project Manager of Licensing of Transportation Systems  
Holtec International

cc: (letter only)  
Andrea Kock, USNRC  
Christopher Regan, USNRC

Enclosures:

- Enclosure 1: Responses to HI-STAR 180 RAIs (Holtec Non-Proprietary Information)
- Enclosure 2: HI-STAR 180 Safety Analysis Report (SAR), HI-2073681, Revision 7.B (Holtec Proprietary Information)
- Enclosure 3: HI-STAR 180 Safety Analysis Report (SAR), HI-2073681, Revision 7.B (Holtec Non-Proprietary Information)
- Enclosure 4: HI-STAR 180 Cask Licensing Drawing No. 4845, Proposed Rev. 14  
HI-STAR 180 F-32 Basket Licensing Drawing No. 4848,  
Proposed Rev. 9  
HI-STAR 180 F-37 Basket Licensing Drawing No. 4847,  
Proposed Rev. 9  
HI-STAR 180 Impact Limiter Licensing Drawing No. 5062, Rev. 7  
(Holtec Proprietary Information)



KPS Technology Campus, 1 Holtec Blvd, Camden, NJ 08104

Telephone (856) 797-0900

Fax (856) 797-0909

- Enclosure 5: Calculation Package for the HI-STAR 180 Transport Cask System (Structural), HI-2063552, Revision 17 (Holtec Proprietary Information)
- Enclosure 6: Section 4.9 of "Structural Verification of 14x14 LTS PWR Quiver Design", Westinghouse Report SEA 18-001, Revision 1. (Proprietary Information)
- Enclosure 7: Affidavit Pursuant to 10 CFR 2.390 to Withhold Information from Public Disclosure (for Enclosures 2, 4, and 5)
- Enclosure 8: Affidavit Pursuant to 10 CFR 2.390 to Withhold Information from Public Disclosure (for Enclosure 6)

**AFFIDAVIT PURSUANT TO 10 CFR 2.390**

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I, Kimberly Manzione, being duly sworn, depose and state as follows:

- (1) I have reviewed the information described in paragraph (2) which is sought to be withheld, and am authorized to apply for its withholding.
- (2) The information sought to be withheld is Enclosures 2, 4, and 5 to Holtec Letter 1553043-NRC, which contains Holtec Proprietary information.
- (3) In making this application for withholding of proprietary information of which it is the owner, Holtec International relies 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 10CFR Part 9.17(a)(4), 2.390(a)(4), and 2.390(b)(1) for "trade secrets and commercial or financial information obtained from a person and privileged or confidential" (Exemption 4). The material for which exemption from disclosure is here sought is all "confidential commercial information", and some portions also qualify under the narrower definition of "trade secret", within the meanings assigned to those terms for purposes of FOIA Exemption 4 in, respectively, Critical Mass Energy Project v. Nuclear Regulatory Commission, 975F2d871 (DC Cir. 1992), and Public Citizen Health Research Group v. FDA, 704F2d1280 (DC Cir. 1983).

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- (4) Some examples of categories of information which 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 Holtec's competitors without license from Holtec International constitutes a competitive economic advantage over other companies;
  - b. 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.
  - c. Information which reveals cost or price information, production, capacities, budget levels, or commercial strategies of Holtec International, its customers, or its suppliers;
  - d. Information which reveals aspects of past, present, or future Holtec International customer-funded development plans and programs of potential commercial value to Holtec International;
  - e. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

The information sought to be withheld is considered to be proprietary for the reasons set forth in paragraphs 4.a and 4.b above.

- (5) 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 sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by Holtec International. 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



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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 paragraphs (6) and (7) following.

- (6) Initial approval of proprietary treatment of a document is made by the manager of the originating component, the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge. Access to such documents within Holtec International is limited on a "need to know" basis.
- (7) The procedure for approval of external release of such a document typically requires review by the staff manager, project manager, principal scientist or other equivalent authority, by the manager of the cognizant marketing function (or his designee), and by the Legal Operation, for technical content, competitive effect, and determination of the accuracy of the proprietary designation. Disclosures outside Holtec International are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary agreements.
- (8) 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. This information would provide other parties, including competitors, with information from Holtec International's technical database and the results of evaluations performed by Holtec International. A substantial effort has been expended by Holtec International to develop this information. Release of this information would improve a competitor's position because it would enable Holtec's competitor to copy our technology and offer it for sale in competition with our company, causing us financial injury.

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- (9) 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. The information is part of Holtec International's comprehensive spent fuel storage technology base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and analytical methodology, and includes development of the expertise to determine and apply the appropriate evaluation process.

The research, development, engineering, and analytical costs comprise a substantial investment of time and money by Holtec International.

The precise value of the expertise to devise an evaluation process and apply the correct analytical methodology is difficult to quantify, but it clearly is substantial.

Holtec International's competitive advantage will be lost if its competitors are able to use the results of the Holtec International experience to normalize or verify their own process or if they are able to claim an equivalent understanding by demonstrating that they can arrive at the same or similar conclusions.

The value of this information to Holtec International would be lost if the information were disclosed to the public. Making such information available to competitors without their having been required to undertake a similar expenditure of resources would unfairly provide competitors with a windfall, and deprive Holtec International of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment in developing these very valuable analytical tools.

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Document ID 1553043-NRC  
Non-Proprietary Enclosure 7

**AFFIDAVIT PURSUANT TO 10 CFR 2.390**

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STATE OF NEW JERSEY     )  
  )     ss:  
COUNTY OF CAMDEN     )

Kimberly Manzione, being duly sworn, deposes and says:

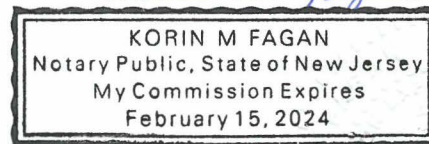
That she has read the foregoing affidavit and the matters stated therein are true and correct to the best of her knowledge, information, and belief.

Executed at Camden, New Jersey, this 16<sup>th</sup> day of January 2020.



Kimberly Manzione  
Licensing Manager  
Holtec International

Subscribed and sworn before me this 16 day of January, 2020.





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COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF BUTLER:

- (1) I, Camille T. Zozula, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse).
- (2) I am requesting the proprietary portions of: NRT 18-187; NRT 18-188; SEA 18-001, Revision 1; "QUIVER – technical presentation"; Drawing AA469822; and Drawing AA469832 be withheld from public disclosure under 10 CFR 2.390.
- (3) I have personal knowledge of the criteria and procedures utilized by Westinghouse in designating information as a trade secret, privileged, or as confidential commercial or financial information.
- (4) Pursuant to 10 CFR 2.390, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.
  - (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse and is not customarily disclosed to the public.
  - (ii) Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar technical evaluation justifications and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

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- (5) Westinghouse has policies in place to identify proprietary information. Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:
- (a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
  - (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage (e.g., by optimization or improved marketability).
  - (c) Its use 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 a similar product.
  - (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
  - (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
  - (f) It contains patentable ideas, for which patent protection may be desirable.
- (6) The attached documents are bracketed and marked to indicate the bases for withholding. The justification for withholding is indicated in both versions by means of lower case letters (a) through (f) located as a superscript immediately following the brackets enclosing each item of information being identified as proprietary or in the margin opposite such information. These

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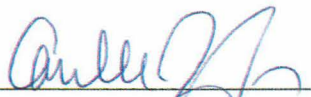
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lower case letters refer to the types of information Westinghouse customarily holds in confidence identified in Sections (5)(a) through (f) of this Affidavit.

I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10 Jan 2020

  
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Camille T. Zozula, Manager  
Infrastructure & Facilities Licensing