

March 24, 2020

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

Attention: Document Control Desk

Subject: Submission of a Request for a Revision to Certificate of Compliance (CoC) No. 9225 for the NAC-LWT Cask to Authorize the Transport of EFN Rods, Moly Targets, and Booster Rods.

Docket 71-9225

- References:
1. USNRC CoC No. 9225, Model No. NAC-LWT Package, Revision 69, October 3, 2019
 2. ED20190068, Submission of NAC-LWT Safety Analysis Report (SAR), Revision 45 Incorporating the Revised Definitions of Damaged and Undamaged NRU/NRX Fuel Approved Applications, July 16, 2019

NAC International (NAC) hereby submits a request to revise the NAC-LWT Certificate of Compliance (CoC) No. 9225, Revision 69 (Reference 1) to permit the transport of EFN rods, Moly targets, and Booster rods utilizing the NRU/NRX basket and NRU/NRX caddies. Up to eighteen caddies may be loaded into the NAC-LWT. EFN rods, Moly targets, or Booster rods may be loaded as rods/targets, or rod/target fragments. Those fragments too small to be retained axially within the caddy shall have a caddy plug installed after the material has been loaded to ensure the material remains in the caddy. The caddy plug (NAC Drawing 315-40-175, Revision 2, Sheet 2 of 2, Assembly 98) has not been previously submitted to the NRC for use within the NRU/NRX basket. While the caddy plug is shown on drawing 315-40-175, it is not required for use with NRU/NRX shipments.

This submittal includes one hard copy of both the proprietary and non-proprietary LWT-20A submittal (Enclosure 5). LWT-SAR Rev. 45 (Reference 2) has been used as the base document to which the requested change has been made. Enclosures 1 and 2 contain a list of SAR and drawing changes, respectively. Enclosure 3 contains the proposed CoC changes. Enclosure 4 contains calculations used to support the requested changes. 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 LWT-20A pages. In accordance with NAC's administrative practices, upon final acceptance of this application, the LWT-20A changed pages will be reformatted and incorporated into the next revision of the NAC-LWT SAR.



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This SAR revision contains NAC proprietary information. Attachment 1 is a signed affidavit, executed by Mr. George Carver, Vice President, Engineering and Support Services, requesting this proprietary information be withheld from public disclosure via 10 CFR 2.390.

If you have any questions regarding this letter, please feel free to contact me on my direct number at 678-328-1236.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wren Fowler', written over a horizontal line.

Wren Fowler
Director, Licensing
Engineering

Attachments:

Attachment 1 – NAC International Inc. Affidavit Pursuant to 10 CFR 2.390

Enclosures:

- Enclosure 1 – Proposed Changes for Revision 69 of Certificate of Compliance
- Enclosure 2 – List of Calculations, NAC-LWT SAR, Revision 20A
- Enclosure 3 – List of SAR Changes, NAC-LWT SAR, Revision 20A
- Enclosure 4 – List of Drawing Changes, NAC-LWT SAR, Revision 20A
- Enclosure 5 – NAC-LWT, LOEP and SAR Pages Revision 20A

Attachment 1

NAC International Inc.
Affidavit Pursuant to 10 CFR 2.390

NAC INTERNATIONAL INC.
AFFIDAVIT PURSUANT TO 10 CFR 2.390

George Carver (Affiant), Vice President, Engineering and Support Services, of NAC International Inc., hereinafter referred to as NAC, at 3930 East Jones Bridge Road, Peachtree Corners, 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 the technical review of NAC's Request for a Certificate of Compliance (CoC) (No. 9225) for the NAC LWT Transport Package.
 - Enclosure 3 – List of Calculations, NAC-LWT SAR, Revision 20A
 - 50055-5001, Revision 0
 - 50055-6001, Revision 1
 - Input/Output Files (Disk 1 of 1)
 - Enclosure 4 – NAC-LWT, LOEP and SAR Pages Revision 20A, Proprietary Version

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.
9. 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. George Carver, 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 Peachtree Corners, Georgia, this 24th day of March, 2020.



George Carver
Vice President, Engineering and Support Services
NAC International Inc.

Subscribed and sworn before me this 24th day of March, 2020.

Jeannie Kline Tob
Notary Public

