

August 17, 2020

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

Attention: Document Control Desk

Subject: Submission of Responses to the U.S. Nuclear Regulatory Commission Request for Additional Information for Certificate of Compliance (CoC) No. 9225, 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
  3. ED20200029, 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, March 24, 2020
  4. U.S. Nuclear Regulatory Commission (NRC), Application for The Model No. NAC-LWT, Amendment No. 70 of Certificate of Compliance No. 9225 – Request for Additional Information, July 10, 2020

NAC International (NAC) hereby submits responses to the NRC's Request for Additional Information (RAI) issued on June 25, 2020 (Reference 4). Those responses can be found in Enclosure 1 of this letter. In response to the RAIs, NAC has revised the requirements for the use of the NRU/NRX caddy plug in the CoC and SAR Chapters 1 and 7. Details of the changes are discussed in the RAI response (Enclosure 1).

Enclosure 1 contains the RAI responses. The proposed changes to the CoC are included in Enclosure 2. Enclosure 3 contains Appendix H of Calculation 65007700-2000, "NRU-NRX Basket and Spacer Assemblies Structural Evaluation", Revision 4. Enclosure 4 contains a list of changes to the NAC-LWT SAR. Enclosure 5 contains the changed pages to the NAC-LWT SAR. SAR changed pages are common to both the proprietary and non-proprietary versions. Per Attachment 1 to this letter, NAC requests NAC proprietary information be withheld from public disclosure via 10 CFR 2.390.

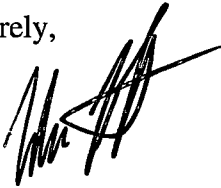
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Consistent with NAC administrative practice, this proposed SAR revision is numbered to uniquely identify the applicable changed pages. Revision bars mark the SAR text changes on the Revision LWT-20B pages. In accordance with NAC's administrative practices, upon final acceptance of this application, the LWT-20A and 20B changed pages will be reformatted and incorporated into the next revision of the NAC-LWT SAR.

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

Sincerely,



Wren Fowler  
Director, Licensing  
Engineering

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

Enclosures:  
Enclosure 1 – RAI Responses - NAC-LWT SAR, Revision 20B  
Enclosure 2 – Proposed Changes to the Certificate of Compliance, Revision 20B  
Enclosure 3 – List of Calculations, NAC-LWT SAR, Revision 20B  
Enclosure 4 – List of SAR Changes, NAC-LWT SAR, Revision 20B  
Enclosure 5 – NAC-LWT, LOEP and SAR Pages, Revision 20B

## **Attachment 1**

**NAC International Inc.  
Affidavit Pursuant to 10 CFR 2.390**

**NAC INTERNATIONAL INC.  
AFFIDAVIT PURSUANT TO 10 CFR 2.390**

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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 1 – RAI Responses, Page 5 of 16
  - Enclosure 3 – List of Calculations, NAC-LWT SAR, Revision 20B
    - Appendix H of Calculation 65007700-2000, NRU-NRX Basket and Spacer Assemblies Structural Evaluation, Revision 450055-6001, Revision 4

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.

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.

**NAC INTERNATIONAL INC.**  
**AFFIDAVIT PURSUANT TO 10 CFR 2.390**

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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.

**NAC INTERNATIONAL INC.  
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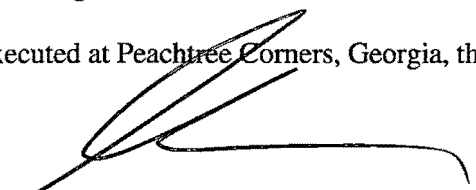
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**STATE OF GEORGIA, COUNTY OF GWINNETT**

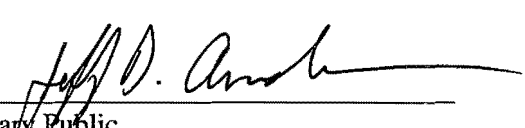
Mr. George Carver, being duly sworn, deposes and says:

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 17 day of AUGUST, 2020.

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

Subscribed and sworn before me this 17 day of AUGUST, 2020.

  
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Notary Public

