



TRANSNUCLEAR, INC.

May 2, 2001

E-18889

Mr. E. William Brach, Director
Spent Fuel Project Office
Office of Nuclear Material Safety and Safeguards
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

**APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE**

Reference: Qualification Program for METAMIC Aluminum/Boron Metal Matrix Composite Materials for Nuclear Spent Fuel Storage Applications NET 152-02 & Appendix A entitled "Technical Assessment of the Boron Carbide Distribution in METAMIC".

Dear Mr. Brach:

The referenced documents contains information which is commercially important to Transnuclear and which is customarily held in our confidence. The enclosed affidavit sets forth the basis on which the information may be withheld from public disclosure by the Commission. The considerations listed in paragraph (b)(4) of 10CFR 2.790 are specifically addressed in the affidavit.

This application for withholding is submitted by Transnuclear, Inc. pursuant to the provisions of paragraph (b)(1) of 10CFR 2.790. Transnuclear requests that the subject information, which is proprietary to Transnuclear, Inc., be withheld from public disclosure in accordance with 10CFR 2.790.

Please contact me if there are any questions relative to this application for withholding or the accompanying affidavit.

If you have any questions, please call me.

Sincerely,

Alan Hanson
President and CEO

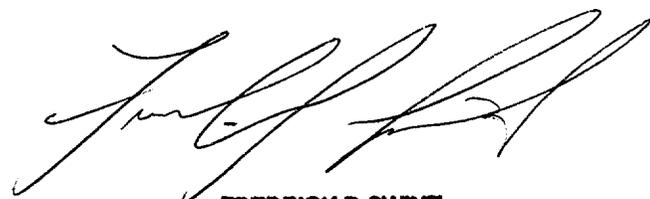
AFFIDAVIT

STATE OF NEW YORK }
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COUNTY OF WESTCHESTER }

Before me, the undersigned authority, personally appeared Alan Hanson who, being by me duly sworn according to law, deposes and says that she is authorized to execute this Affidavit on behalf of Transnuclear, Inc. and that the averments of fact set forth in this Affidavit are true and correct to the best of his knowledge, information, and belief:


ALAN HANSON

**Sworn to and subscribed
Before me this 02nd day
of May, 2001.**


**FREDRICK P. SWINT
Notary Public, State of New York
No. 01SW6040195
Qualified in Westchester County
Commission Expires 4-17-2002**

- (1) I am President of Transnuclear, Inc. and my responsibilities include reviewing the proprietary information sought to be withheld from public disclosure in connection with the licensing of spent fuel transport cask systems or spent fuel storage cask systems. I am authorized to apply for its withholding on behalf of Transnuclear, Inc.
- (2) I am making this Affidavit in conformance with the provisions of 10CFR Section 2.790 of the commission's regulations and in conjunction with the Transnuclear application for withholding accompanying this Affidavit.
- (3) I have personal knowledge of the criteria and procedures utilized by Transnuclear in designating information as a trade secret, privileged or as confidential commercial or financial information.
- (4) The following information is furnished pursuant to the provisions of paragraph 10CFR 2.790(b)(4) to determine 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 Transnuclear.
 - (ii) The information is of a type customarily held in confidence by Transnuclear, is not customarily disclosed to the public and is transmitted to the commission in confidence.
 - (iii) The information sought to be protected is not now available in public sources to the best of our knowledge and belief and the release of such information might result in a loss of competitive advantage as follows:
 - (a) It reveals the distinguishing aspects of a cask system where prevention of its use by any of Transnuclear's competitors without license from Transnuclear constitutes a competitive economic advantage over other companies.
 - (b) It consists of supporting data, including test data, relative to a component or material, the application of which secures a competitive economic or technical advantage.
 - (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.
- (5) The information is being transmitted to the commission in confidence and, under the provision of 10CFR Section 2.790, it is to be received in confidence by the Commission.

- (6) The information sought to be protected is not available in public sources to the best of our knowledge and belief.
- (7) The proprietary information sought to be withheld in this submittal is that which is contained in the proprietary version of:

Appendix A to Chapter 8 of the NUHOMS[®]-MP197 Safety Analysis Report.
- (8) This information should be held in confidence because it provides details of materials qualification programs that were developed at significant expense. This information has substantial commercial value to Transnuclear in connecting with competition with other vendors for contracts.

The subject information could only be duplicated by competitors if they were to invest time and effort equivalent to that invested by Transnuclear provided they have the requisite talent and experience.

Public disclosure of this information is likely to cause substantial harm to the competitive position of Transnuclear, because it would simplify design and evaluation tasks without requiring a commensurate investment of time and effort.

AFFIDAVIT

STATE OF NEW YORK

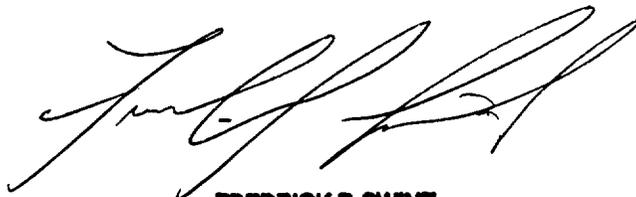
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COUNTY OF WESTCHESTER

Before me, the undersigned authority, personally appeared Alan Hanson who, being by me duly sworn according to law, deposes and says that she is authorized to execute this Affidavit on behalf of Transnuclear, Inc. and that the averments of fact set forth in this Affidavit are true and correct to the best of his knowledge, information, and belief:


ALAN HANSON

Sworn to and subscribed
Before me this 2nd day
of May, 2001.



FREDRICK P. SWINT
Notary Public, State of New York
No. 01SW6040195
Qualified in Westchester County
Commission Expires 4-17-2002

- (1) I am President of Transnuclear, Inc. and my responsibilities include reviewing the proprietary information sought to be withheld from public disclosure in connection with the licensing of spent fuel transport cask systems or spent fuel storage cask systems. I am authorized to apply for its withholding on behalf of Transnuclear, Inc.
- (2) I am making this Affidavit in conformance with the provisions of 10CFR Section 2.790 of the commission's regulations and in conjunction with the Transnuclear application for withholding accompanying this Affidavit.
- (3) I have personal knowledge of the criteria and procedures utilized by Transnuclear in designating information as a trade secret, privileged or as confidential commercial or financial information.
- (4) The following information is furnished pursuant to the provisions of paragraph 10CFR 2.790(b)(4) to determine 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 Transnuclear.
 - (ii) The information is of a type customarily held in confidence by Transnuclear, is not customarily disclosed to the public and is transmitted to the commission in confidence.
 - (iii) The information sought to be protected is not now available in public sources to the best of our knowledge and belief and the release of such information might result in a loss of competitive advantage as follows:
 - (a) It reveals the distinguishing aspects of a cask system where prevention of its use by any of Transnuclear's competitors without license from Transnuclear constitutes a competitive economic advantage over other companies.
 - (b) It consists of supporting data, including test data, relative to a component or material, the application of which secures a competitive economic or technical advantage.
 - (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.
- (5) The information is being transmitted to the commission in confidence and, under the provision of 10CFR Section 2.790, it is to be received in confidence by the Commission.

(6) The information sought to be protected is not available in public sources to the best of our knowledge and belief.

(7) The proprietary information sought to be withheld in this submittal is that which is contained in the proprietary version of:

Appendix A to Chapter 8 of the NUHOMS[®]-MP197 Safety Analysis Report.

(8) This information should be held in confidence because it provides details of materials qualification programs that were developed at significant expense. This information has substantial commercial value to Transnuclear in connecting with competition with other vendors for contracts.

The subject information could only be duplicated by competitors if they were to invest time and effort equivalent to that invested by Transnuclear provided they have the requisite talent and experience.

Public disclosure of this information is likely to cause substantial harm to the competitive position of Transnuclear, because it would simplify design and evaluation tasks without requiring a commensurate investment of time and effort.



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Manufacturers of **METAMIC**®
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May 1, 2001

Mr. William F. Kane / Director of Spent Fuel Project Office
Office of Nuclear Materials Safety & Safeguards
U.S. Nuclear Regulatory Commission
Mail Stop M/S – 06F18
Washington, DC 20555

**“APPLICATION FOR WITHHOLDING PROPRIETARY INFORMATION
FROM PUBLIC DISCLOSURE”**

Reference: Qualification Program for METAMIC Aluminum/Boron Carbide Metal Matrix Composite Materials for Nuclear Spent Fuel Storage Applications NET 152-02 & **Appendix A entitled “Technical Assessment of the Boron Carbide Distribution in METAMIC”**

Dear Mr. Kane,

The referenced METAMIC aluminum/boron carbide metal matrix composite material qualification report NET 152-02 along with **Appendix A entitled “Technical Assessment of the Boron Carbide Distribution in METAMIC”** contains propriety information that is commercially important to California Consolidated Technology, Inc. There for California Consolidated Technology, Inc. is requesting that the test qualification program along with **Appendix A** of the METAMIC aluminum metal matrix composite is held in strict confidence.

This test qualification program to characterize the METAMIC aluminum boron carbide metal matrix composite materials cost California Consolidated Technology, Inc. a substantial amount of money, time, and resources to develop. If a potential competitor's were allowed to review this qualification program along with **Appendix A** – it would put our company a competitive disadvantage.

This application for withholding information from public disclosure is submitted by California Consolidated Technology, Inc. pursuant to the provisions of paragraph (b) (1) of 10CFR 2.790. Enclosed is our executed affidavit requesting that the subject information, which is proprietary to California Consolidated Technologies, Inc. be withheld in strict confidence.

Please contact me if there are any questions regarding this request or affidavit.

Sincerely,

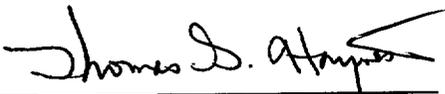
Thomas G. Haynes III

AFFIDAVIT

STATE OF VIRGINIA

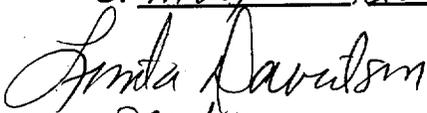
COUNTY OF CHESTERFIELD

Before me, the undersigned authority, Thomas G. Haynes III personally appeared, who being by me duly sworn according to law, deposes and says he is authorized to execute this affidavit on behalf of California Consolidated Technologies, Inc. and that the averments of fact set forth in this Affidavit are true and correct to the best of his knowledge, information, and belief:



Thomas G. Haynes III

Sworn to and subscribed
Before me this 1ST day
Of May, 2001.

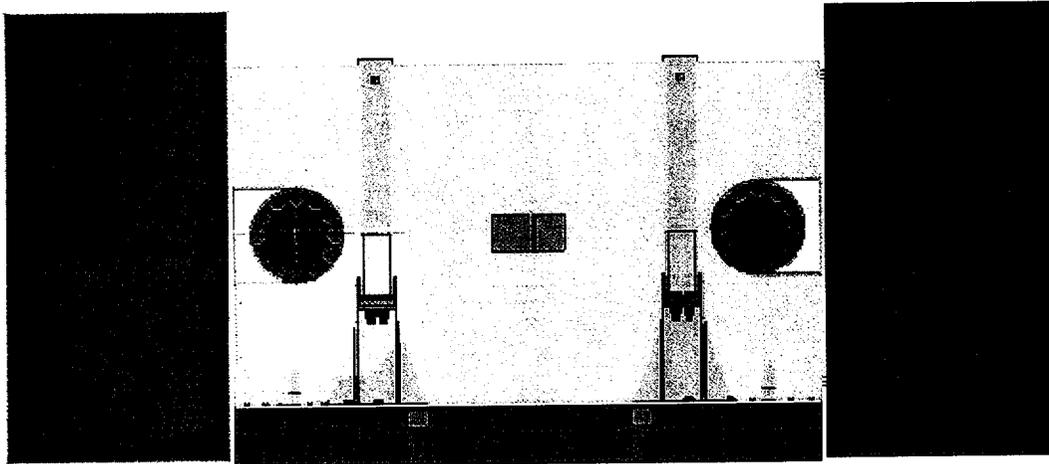

notary
exp. 9/30/2001

- (1) I am President of California Consolidated Technology, Inc. and my responsibilities include the marketing and technology development of aluminum boron carbide metal matrix composites for potential use for nuclear spent fuel storage applications in both dry cask and wet pool storage environments. I am authorized to apply for this request for withholding proprietary information on behalf of California Consolidated Technology, Inc.
- (2) I am making this Affidavit in conformance with the provisions of 10CFR Section 2.790 of the commission's regulations and with California Consolidated Technologies, Inc. application for withholding accompanying this Affidavit.
- (3) I have personal knowledge of the manufacturing technology, market applications, and test criteria utilized by California Consolidated Technology in the designating information as a trade secret, privileged or as confidential, commercial or financial information.
- (4) The following information is furnished pursuant to the provisions of paragraph 10CFR 2.790 (b) (1) to determine 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 California Consolidated Technology, Inc.
 - (ii) Information of this type is customarily held in confidence by California Consolidated Technology, Inc. is not customarily disclosed to the public and is transmitted to the commission in confidence.
 - (iii) The information sought to be protected is not now available in public sources to the best of our knowledge and belief and the release of such information might result is a loss of competitive advantage as follows:
 - a) It consists of a design of test matrix, test data relative to a component or material, for an application of which secures a competitive economic or technical advantage.

- b) The test qualification program was developed at a considerable expense to California Consolidated Technology, Inc. that can be inferred from the tabulation of the data.
- c) The use of this test program by a competitor would reduce his expenditure of resources or improve his competitive position in the testing, assurance of quality, or licensing of a similar product.



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