



January 24, 2003
 NUH03-03-04

Ms. Mary Jane Ross-Lee
 Spent Fuel Project Office, NMSS
 U. S. Nuclear Regulatory Commission
 11555 Rockville Pike M/S O13-D-13
 Rockville, MD 20852

Subject: Response to Request for Additional Information (RAI) and Submittal of Revision 4 of Application for Amendment No. 5 to the NUHOMS® Certificate of Compliance No. 1004 (TAC NO. L23343).

References:

1. Request for Additional Information Regarding Approval To Add NUHOMS® -32PT Dry Storage Canister to the Standardized NUHOMS® System (TAC NO. L23343), Dated July 3, 2002.
2. Revision 3 of Application for Amendment No. 5 to the NUHOMS® Certificate of Compliance No. 1004, , Submitted June 3, 2002.
3. Interim Staff Guidance (ISG) No. 11, Revision 2.

Dear Ms. Ross-Lee:

Transnuclear, Inc. (TN) herewith submits our responses to the RAI (Reference 1) and two additional questions raised in a subsequent telephone conference. Also included herewith is Revision 4 of our application for Amendment No.5 to the NUHOMS® Certificate of Compliance No. 1004.

This package is organized in the following format to facilitate your staff's review:

- Affidavit for Withholding Proprietary Information,
- Responses to the RAI (Reference 1) and Two Additional Questions
- Thirteen Copies of Revision 4 of Application for Amendment No. 5 to the NUHOMS® Certificate of Compliance No. 1004,
- Calculation NUH32PT.0408, Revision 0 (Proprietary), and
- CD Containing ANSYS Files for the 70° F Storage Case, Vacuum Transient, and WE 14x14 Effective Thermal Conductivity Calculation (Proprietary).

TN has revised the thermal model of the NUHOMS®-32PT DSC basket with a detailed model which simulates each basket component discretely. In addition, the analysis included in the SAR (Reference 2) has been revised based on the results of the bounding fuel assembly and the fuel region nodalization study. The analysis shows that the NUHOMS®-32PT DSC meets the acceptance criteria of ISG-11, Revision 2 (Reference 3).

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This submittal includes proprietary documents which may not be used for any purpose other than to support your staff's review of the application. In accordance with 10 CFR 2.790, Transnuclear, Inc. is providing an affidavit (Enclosure 1) specifically requesting that you withhold this proprietary information from public disclosure.

Please replace the affected pages of the Revision 3 application (Reference 2) with the changed pages submitted herewith.

Should you or your staff require additional information to support review of this application, please do not hesitate to contact me at 510-744-6053.

Sincerely,



U. B. Chopra

Licensing Manager

Docket 72-1004

- Enclosures:
1. Affidavit for withholding proprietary information.
 2. Responses to the RAI and two additional questions.
 3. Thirteen Copies of Changed Pages of Revision 4 of Application for Amendment No. 5 to the NUHOMS[®] Certificate of Compliance No. 1004 (All pages are provided for Chapter M.4).
 4. Calculation NUH32PT.0408, Revision 0 (Proprietary).
 5. CD Containing ANSYS Files for the 70° F Storage Case, Vacuum Transient, and WE 14x14 Effective Thermal Conductivity Calculation (Proprietary).

AFFIDAVIT PURSUANT
TO 10 CFR 2.790

Transnuclear, Inc.)
State of California) SS.
County of Alameda)

I, William D. Gallo, depose and say that I am Senior Vice President of Transnuclear, Inc., duly authorized to make this affidavit, and have reviewed or caused to have reviewed the information which is identified as proprietary and referenced in the paragraph immediately below. I am submitting this affidavit in conformance with the provisions of 10 CFR 2.790 of the Commission's regulations for withholding this information.

The information for which proprietary treatment is sought is contained in the Calculation package and ANSYS Input files included in Enclosures 4, and 5 and as listed below:

1. Calculation NUH32PT.0408, Revision 0 (Enclosure 4).
2. ANSYS Input Files for the 70°F Storage Case (Enclosure 5).
3. ANSYS Input Files for the Vacuum Transient (Enclosure 5).
4. ANSYS Files for WE 14x14 Effective Thermal Conductivity (Enclosure 5).

These files have been appropriately designated as proprietary.

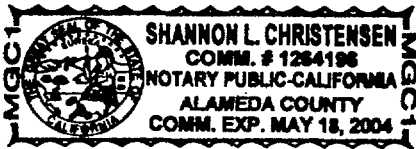
I have personal knowledge of the criteria and procedures utilized by Transnuclear, Inc. in designating information as a trade secret, privileged or as confidential commercial or financial information.

Pursuant to the provisions of paragraph (b) (4) of Section 2.790 of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure, included in the above referenced document, should be withheld.

- 1) The information sought to be withheld from public disclosure are a Calculation package and ANSYS Input files relating to the analysis of the NUHOMS® Cask, which is owned and has been held in confidence by Transnuclear, Inc.
- 2) The information is of a type customarily held in confidence by Transnuclear, Inc. and not customarily disclosed to the public. Transnuclear, Inc. has a rational basis for determining the types of information customarily held in confidence by it.
- 3) The information is being transmitted to the Commission in confidence under the provisions of 10 CFR 2.790 with the understanding that it is to be received in confidence by the Commission.
- 4) The information, to the best of my knowledge and belief, is not available in public sources, and any disclosure to third parties has been made pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence.
- 5) Public disclosure of the information is likely to cause substantial harm to the competitive position of Transnuclear, Inc. because:

- a) A similar product is manufactured and sold by competitors of Transnuclear, Inc.
- b) Development of this information by Transnuclear, Inc. required thousands of man-hours and hundreds of thousands of dollars. To the best of my knowledge and belief, a competitor would have to undergo similar expense in generating equivalent information.
- c) In order to acquire such information, a competitor would also require considerable time and inconvenience related to the development of a design and analysis of a dry spent fuel storage system.
- d) The information required significant effort and expense to obtain the licensing approvals necessary for application of the information. Avoidance of this expense would decrease a competitor's cost in applying the information and marketing the product to which the information is applicable.
- e) The information consists of description of the design and analysis of a dry spent fuel storage and transportation system, the application of which provides a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with Transnuclear, Inc., take marketing or other actions to improve their product's position or impair the position of Transnuclear, Inc.'s product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.
- f) In pricing Transnuclear, Inc.'s products and services, significant research, development, engineering, analytical, licensing, quality assurance and other costs and expenses must be included. The ability of Transnuclear, Inc.'s competitors to utilize such information without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.

Further the deponent sayeth not.



A handwritten signature in black ink, appearing to read 'William D. Gallo'.

William D. Gallo
Senior Vice President, Transnuclear, Inc.

Subscribed and sworn to me before this 22nd day of January, 2003, by William D. Gallo.

A handwritten signature in black ink, appearing to read 'Shannon L. Christensen'.

Notary Public