

71-9255



August 4, 2003
NUH05-03-01

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

Subject: Application for Renewal of NUHOMS® Certificate of Compliance (CoC) No. 9255 for the NUHOMS MP187 Package and Submittal of a Consolidated SAR for the NUHOMS® MP187 Package, Revision 17.

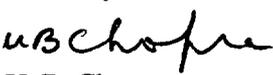
- Reference:**
1. Revision 8 of the NUHOMS® Certificate of Compliance (CoC) No. 9255 for the NUHOMS® MP187 Package (TAC No. L23056), dated October 18, 2003.
 2. Consolidated SAR for the NUHOMS® MP187 Multi-Purpose Cask, Revision 10, dated December 13, 2000.

Dear Ms. Ross-Lee:

In accordance with the requirements of 10CFR 71.38(b), Transnuclear, Inc. (TN) herewith submits an application for renewal of CoC 9255 (Reference 1), which has an expiration date of September 10, 2003. In addition, TN submits herewith an updated SAR (Enclosure 2) which consolidates all the previous supplements since the submittal of Reference 2, and as listed in Reference 1.

Enclosure 2 is proprietary and may not be used for any purpose other than to support your staff's review of this renewal application. In accordance with 10 CFR 2.790, TN is providing an affidavit (Enclosure 1) specifically requesting that you withhold this proprietary information from public disclosure.

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 71-9255

- Enclosures:**
1. Affidavit for Withholding Proprietary Information.
 2. Three copies of Consolidated SAR for the NUHOMS® MP187 Multi-Purpose Cask, Revision 17 (Proprietary Version).
 3. One copy of Consolidated SAR for the NUHOMS® MP187 Multi-Purpose Cask, Revision 17 (Non-Proprietary Version).

39300 CIVIC CENTER DRIVE, SUITE 280, FREMONT, CA 94538
Phone: 510 795-9800 • Fax: 510 744-6002

nmss01

**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 specific sections included in Enclosure 2 of this submittal as listed below:

Safety Analysis Report for the NUHOMS[®]-MP187 Multipurpose Cask, Revision 17 (Proprietary Version).

These sections of the SAR have been appropriately designated as proprietary.

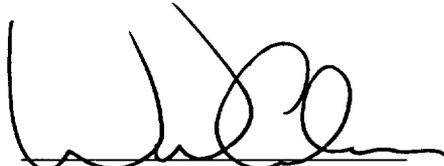
I have personal knowledge of the criteria and procedures utilized by Transnuclear, Inc. in designating information as a trade secret, privileged or as confidential commercial or financial information.

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 the drawings, safety analysis and Input files relating to the analysis of the NUHOMS[®] MP187 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 expenditure of considerable resources. 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.



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

Subscribed and sworn to me before this 4th day of August, 2003, by William D. Gallo.



Notary Public

