



Nuclear Fuel Services, Inc.  
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**DHL EXPRESS**

21G-04-0064  
GOV-01-55-04  
ACF-04-0128

April 30, 2004

Director  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, DC 20555

References: 1) Docket No. 70-143; SNM License 124  
2) Letter from B.M. Moore to NRC, License Amendment Request for the Oxide Conversion Building and Effluent Processing Building at the BLEU Complex, dated October 23, 2003 (21G-03-0277)

**Subject: Revised Affidavits to Reaffirm Proprietary Information Contained in the License Amendment Request for the Oxide Conversion and Effluent Processing Buildings**

Dear Sir:

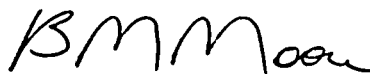
Nuclear Fuel Services, Inc. (NFS) hereby submits revised affidavits affirming that Attachments II and III of Reference 2 contain trade secrets and are therefore proprietary information that should be withheld from public disclosure in accordance with Title 10, Code of Federal Regulations (CFR), Part 2.390. As discussed with your staff, NFS is submitting these revised affidavits to reflect the regulatory changes pertaining to submittal of proprietary information that became effective in June 2003.

NM5501

If you or your staff have any questions, require additional information, or wish to discuss this, please contact me, or Mr. Rik Droke, Licensing and Compliance Director at (423) 743-1741. Please reference our unique document identification number (21G-04-0064) in any correspondence concerning this letter.

Sincerely,

**NUCLEAR FUEL SERVICES, INC.**



B. Marie Moore  
Vice President  
Safety and Regulatory

JSK/lsn  
Enclosure

cc:  
Regional Administrator  
U.S. Nuclear Regulatory Commission  
Region II  
Atlanta Federal Center  
61 Forsyth Street, SW  
Suite 23T85  
Atlanta, GA 30303

Mr. William Gloersen  
Project Inspector  
U.S. Nuclear Regulatory Commission  
Region II  
Atlanta Federal Center  
61 Forsyth Street, SW  
Suite 23T85  
Atlanta, GA 30303

Mr. Daniel Rich  
Senior Resident Inspector  
U.S. Nuclear Regulatory Commission

ENCLOSURE 1

**AFFIDAVIT  
TRADE SECRETS OR COMMERCIAL INFORMATION**

I, B. Marie Moore, Vice President of Safety & Regulatory at Nuclear Fuel Services, Inc. (NFS), that to the best of my knowledge and beliefs (and in reliance on the affidavit of Framatome ANP, Inc. ("Contractor") attached hereto, as applicable), make the following representation contained herein:

- A. The following document(s) which Nuclear Fuel Services, Inc. (NFS) wishes to have withheld from public disclosure are:

*Attachments II and III to NFS letter B. M. Moore to Director, NMSS, dated October 23, 2003 (21G-03-0277), in their entirety.*

- B. The information contained in the document(s) cited in A above has been held in confidence by Nuclear Fuel Services, Inc. (NFS), or its Contractor, in that it contains trade secrets or commercial information as specified in Title 10, Code of Federal Regulations, Part 2.390(a). The basis for requesting that this document(s) be withheld from public disclosure is explicitly marked on the cover page to each of the aforementioned documents and/or the top of each affected page in accordance with 10 CFR 2.390(b)(i)(B).
- C. The information contained in the document(s) cited in A above is the intellectual property of Nuclear Fuel Services, Inc. (NFS), or its Contractor, and as such is customarily held in confidence by Nuclear Fuel Services, Inc. (NFS). As such, Nuclear Fuel Services, Inc. (NFS) has customarily submitted privileged and confidential information of this type to the Nuclear Regulatory Commission (NRC) and to its predecessor, the Atomic Energy Commission (AEC), in confidence.
- D. The information contained in the document(s) cited in A above has not been made available to public sources by Nuclear Fuel Services, Inc. (NFS), nor has Nuclear Fuel Services, Inc. (NFS) authorized that it be made available. In accordance with Nuclear Fuel Services, Inc. (NFS) policies governing the protection and control of information, proprietary information contained herein has been made available, on a limited basis, to others outside NFS only as required and under suitable agreement providing for nondisclosure and limited use of the information.
- E. The public disclosure of the information contained in the document(s) cited in A above is likely to cause substantial economic harm to the competitive advantage held by Nuclear Fuel Services, Inc. (NFS), or its Contractor. The basis for withholding said information is that it contains distinguishing aspects of a process, methodology, or component(s), the exclusive use of which provides a competitive advantage for NFS or its Contractor in product optimization or marketability.
- F. The proprietary information that Nuclear Fuel Services, Inc. (NFS) requests to be withheld from public disclosure is contained in the entire document(s) as so marked.

B.M. Moore 4/30/04  
B. Marie Moore Date  
Vice President  
Safety & Regulatory

I certify the above named person appeared before me and executed this document on this the 30<sup>th</sup> day of April, 2004.

Samuel S. Kelly  
Notary Public

My commission expires: 2/04/2007

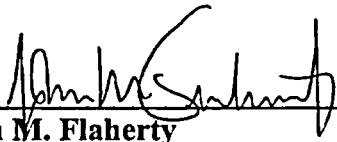


**ENCLOSURE 2**

**AFFIDAVIT  
TRADE SECRETS OR COMMERCIAL INFORMATION**

I, John M. Flaherty, BLEU Complex Plant Manager at Framatome ANP, Inc. (FANP), that to the best of my knowledge and beliefs, make the following representation contained herein:

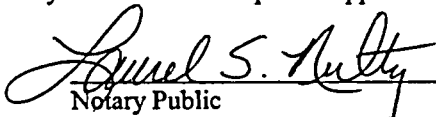
- A. The following document which Framatome ANP, Inc. (FANP) wishes to have withheld from public disclosure is:  
*Attachments II and III to NFS letter B. M. Moore to Director, NMSS, dated October 23, 2003 (21G-03-0277), in their entirety.*
- B. The information contained in the document cited in A above has been held in confidence by FANP, or its Contractor, in that it contains trade secrets or commercial information as specified in Title 10, Code of Federal Regulations, Part 2.390(a). The basis for requesting that this document(s) be withheld from public disclosure is explicitly marked on the cover page to each of the aforementioned documents and/or the top of each affected page in accordance with 10 CFR 2.390(b)(i)(B).
- C. The information contained in the document cited in A above is the intellectual property of FANP, and as such is customarily held in confidence by FANP. As such, FANP has customarily submitted privileged and confidential information of this type to the Nuclear Regulatory Commission (NRC) and to its predecessor, the Atomic Energy Commission (AEC), in confidence.
- D. The information contained in the document cited in A above has not been made available to public sources by FANP, nor has FANP authorized that it be made available. In accordance with FANP policies governing the protection and control of information, proprietary information contained herein has been made available, on a limited basis, to others outside FANP only as required and under suitable agreement providing for nondisclosure and limited use of the information.
- E. The public disclosure of the information contained in the document cited in A above is likely to cause substantial economic harm to the competitive advantage held by FANP, or its Contractor. The basis for withholding said information is that it contains distinguishing aspects of a process, methodology, or component(s), the exclusive use of which provides a competitive advantage for FANP or its Contractor in product optimization or marketability.
- F. The proprietary information that FANP requests to be withheld from public disclosure is contained in the entire document as so marked.

  
\_\_\_\_\_  
**John M. Flaherty**  
BLEU Complex Plant Manager  
Framatome ANP, Inc.

4/30/04  
\_\_\_\_\_  
Date



I certify the above named person appeared before me and executed this document on this the 30<sup>th</sup> day of April, 2004.

  
\_\_\_\_\_  
Notary Public

My commission expires: 02/04/2007