



**TRANSNUCLEAR**

June 17, 2004  
NUH03-04-60

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

**Subject:** Final Safety Analysis Report (FSAR) for the Standardized NUHOMS<sup>®</sup> Horizontal Modular Storage System For Irradiated Nuclear Fuel, Revision 8.

- References:**
1. FSAR for the Standardized NUHOMS<sup>®</sup> Horizontal Modular Storage System For Irradiated Nuclear Fuel, Revision 7.
  2. Amendment No. 5, Certificate of Compliance No. 1004 for the NUHOMS<sup>®</sup> -32PT DSC to Standardized NUHOMS<sup>®</sup> System (TAC No. L23648).
  3. Amendment No. 6, Certificate of Compliance No. 1004 for the NUHOMS<sup>®</sup> -24PHB DSC to the Standardized NUHOMS<sup>®</sup> System (TAC No. L23684).
  4. Amendment No. 7, Certificate of Compliance No. 1004 for the NUHOMS<sup>®</sup> -61BT DSC to the Standardized NUHOMS<sup>®</sup> System (TAC No. L23703).

Dear Ms. Ross Lee:

Pursuant to the requirements of 10 CFR 72.248, Transnuclear, Inc., (TN) has updated Reference 1 and herewith submits for docketing the updated FSAR Revision 8.

This update to the FSAR incorporates the changes to the NUHOMS<sup>®</sup> system recently authorized by Amendment No. 5, 6 and 7 to CoC 1004 (References 2, 3 and 4) and all the changes implemented by TN under the 72.48 rule through May 2004 following the docketing of Reference 1.

This update is being submitted on a replacement page basis. To accommodate the addition of new FSAR Appendices M and N, the contents of the FSAR are now contained in 4 volumes. In addition, to maintain clarity, a complete set of Appendix K has been included in this submittal.

Please note that changes in FSAR Appendices K, M, and N implemented per References 2, 3, and 4 are shown with a single revision bar, while the 10CFR72.48 changes are shown with a double revision bar. Changes to FSAR drawings included in these Appendices as a result of the approved amendments are shown within a clear bubble, while the 72.48 changes are shown within a shaded bubble.

TN is separately submitting a summary description of all 72.48 changes and supporting evaluations implemented since submittal of Reference 1 as required per 72.48(d)(2).

UMSSO1

Ms Mary Jane Ross Lee  
Spent Fuel Project Office, NMSS

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Please note that this submittal includes proprietary information. In accordance with 10CFR2.390, we are providing an affidavit specifically requesting that you withhold this proprietary information from public disclosure.

Please contact me at 510-744-6053 or Mr. Jayant Bondre if you require any additional information in support of this submittal.

Sincerely,



U. B. Chopra  
Licensing Manager

Docket 72-1004

- Enclosures:
1. 10 CFR 2.390 Affidavit.
  2. Five (5) copies of the proprietary version of FSAR Revision, 8 (Changed Pages Only of FSAR Volume 1, and a complete set of FSAR Appendices K, M and N is included).
  3. One (1) copy of the Non-proprietary version of FSAR, Revision 8 (Changed Pages Only of FSAR Volume 1, and a complete set of FSAR Appendices K, M and N).
  4. Two sets of electronic copies of the proprietary version of FSAR, Revision 8.
  5. One set of electronic copy of the non-proprietary version of FSAR, Revision 8.

CC: Mr. Ray Wharton  
Spent Fuel Project Office  
U. S. Nuclear Regulatory Commission

**AFFIDAVIT PURSUANT  
TO 10 CFR 2.390**

Transnuclear, Inc.                    )  
State of Washington                )     SS.  
County of Pierce                    )

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 2.390 of the Commission’s regulations for withholding this information.

The information for which proprietary treatment is sought is contained in Enclosures 2 and 4 and as listed below:

- 1. Proprietary version of the Final Safety Analysis Report (FSAR) for the Standardized NUHOMS® Horizontal Modular Storage System For Irradiated Nuclear Fuel, Revision 8 (5 copies).
- 2. Electronic copies of the proprietary version of FSAR, Revision 8 (2 sets).

This document has 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 2.390 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 design drawings of the NUHOMS® Cask, and supporting analysis 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 2.390 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 16<sup>th</sup> day of June, 2004, by William D. Gallo.

Bonnie M. Hargis  
Notary Public

