



**DUKE COGEMA  
STONE & WEBSTER**

Document Control Desk  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

27 September 2006  
DCS-NRC-000191

**Subject:** Docket Number 070-03098  
Duke Cogema Stone & Webster  
Mixed Oxide Fuel Fabrication Facility  
Submittal of ISA Summary

Duke Cogema Stone & Webster (DCS) hereby submits to the U.S. Nuclear Regulatory Commission (NRC) the Integrated Safety Analysis (ISA) Summary associated with the nuclear materials license application (LA) for the Mixed Oxide Fuel Fabrication Facility (MFFF).

Enclosure (1) provides the ISA Summary. It is submitted under separate cover from the LA to distinguish it from the license as provided for in 10 CFR 70.65(b). It should be withheld from public disclosure pursuant to 10 CFR 2.390 for security concerns and content of proprietary information. An affidavit pursuant to 10 CFR 2.390(b)(1)(iii) for the proprietary information is provided as Enclosure (2). A redacted copy is not provided due to the pervasive nature of the proprietary and security-related information.

If you have any questions, please feel free to contact me or Dirk Leach, Vice President and Deputy Project Manager at (803) 502-1895.

Sincerely,

David Stinson, President and COO

KDS/MAM

Enclosures

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xc (w/o encl.):

David Ayres, USNRC/RII

James R. Bieschke, NNSA/CH

Mosi Dayani, NNSA/SRS

Joseph G. Giitter, USNRC/HQ

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William Travers, NRC/RII

EDMS: Corresp\Outgoing\NRC\Licensing\DCS-NRC-000191

AFFIDAVIT PURSUANT TO 10 CFR 2.390(b)(1)

1. I am President and Chief Operating Officer of Duke Cogema Stone and Webster, LLC; (“DCS”) and as such have the responsibility for reviewing information sought to be withheld from public disclosure in connection with design and licensing of the Mixed Oxide Fuel Fabrication Facility (the “MFFF”); and am authorized on the part of DCS to apply for this withholding.
2. I am making this affidavit in conformance with the provisions of 10 CFR 2.390 of the regulations of the Nuclear Regulatory Commission (NRC) and in conjunction with DCS’s application for withholding, which accompanies this affidavit.
3. I have knowledge of the criteria used by DCS in designating information as proprietary or confidential.
4. Pursuant to the provisions of paragraph (b)(4) of 10 CFR 2.390, the following is furnished for consideration by the NRC in determining 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 by DCS, its partners, and/or affiliates, and has been held in confidence by the same.
  - (ii) The information is of a type that would customarily be held in confidence by DCS, its partners, and/or affiliates. The information consists of design details and processing methods and mechanisms relative to a method of processing that provides a competitive advantage to DCS, its partners, and/or affiliates.
  - (iii) The information was transmitted to the NRC in confidence and under the provisions of 10 CFR 2.390, it is to be received in confidence by the NRC.
  - (iv) The information sought to be protected is not available in public to the best of our knowledge and belief.
  - (v) The proprietary information sought to be withheld in this submittal is that which is marked in the proprietary version of the enclosure to the accompanying DCS letter. This information describes DCS’ design for the MFFF. This information enables DCS, its partners, and/or affiliates to support license amendment applications for the MFFF.
  - (vi) The proprietary information sought to be withheld from public disclosure has substantial commercial value to DCS, its partners, and/or affiliates.
    - (a) It allows DCS to reduce vendor and consultant expenses associated with supporting the licensing of fuel fabrication plants.

- (b) DCS may sell the information to nuclear utilities, vendors, and consultants for the purpose of supporting the licensing of fuel fabrication plants.
- (c) The subject information could only be duplicated by competitors at similar expense to that incurred by DCS, its partners, and/or affiliates.


5. Public disclosure of this information is likely to cause harm to DCS, its partners, and/or affiliates because it would allow competitors in the nuclear industry to benefit from the results of a significant development program without requiring commensurate expense or allowing DCS, its partners, and/or affiliates to recoup a portion of its expenditures or benefit from the sale of the information.

K. D. Stinson, being duly sworn, states that he is the person who subscribed his name to the foregoing statement, and that all the matters and facts set forth within are true and correct to the best of his knowledge.



K. D. Stinson, President and Chief Operating Officer

Subscribed and sworn to on this 25 day of SEPTEMBER, 2006



Notary Public

My Commission Expires:

My Commission Expires  
September 10, 2011

SEAL