

**SHAW AREVA
MOX SERVICES**

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

16 November 2006
DCS-NRC-000198

Subject: Docket No. 070-03098
Shaw AREVA MOX Services
Mixed Oxide Fuel Fabrication Facility
Submittal of License Application

Reference: (A) Letter, K. D. Stinson (MOX Services) to Document Control Desk (NRC),
Submittal of License Application, 27 September 2006

(B) Letter, J. R. Strosnider (NRC) to D. Stinson (MOX Services), *License
Application for the Mixed Oxide Fuel Fabrication Facility*, 7 November 2006

Consistent with the request contained in Reference (B), Shaw AREVA MOX Services (MOX Services) is resubmitting its License Application for the Mixed Oxide Fuel Fabrication Facility (MFFF).

Enclosure (1) provides the proprietary version of the License Application. It should be withheld from public disclosure pursuant to 10 CFR 2.390 due to its content of proprietary information. An affidavit pursuant to 10 CFR 2.390(B)(1)(iii) for the proprietary information is provided as Enclosure (2). Upon completion of the NRC's review for sensitive information, MOX Services will submit a redacted version of the License Application for release to the public.

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:DWG:gdh

Enclosures

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cc (w/o encl.):

Marc Arslan, MOX Services
David A. Ayres, USNRC/RII
Timothy S. Barr, NNSA/CH
Mosi Dayani, NNSA/SRS
Joseph G. Giitter, USNRC/HQ
Dealis W. Gwyn, MOX Services
John T. Hull, Esq., USNRC/HQ
Dirk Leach, MOX Services
Stewart L. Magruder, USNRC/HQ
Joseph Olencz, NNSA/HQ
Robert C. Pierson, USNRC/HQ
Clay H. Ramsey, NNSA/SRS
Mel Shannon, USNRC/SRS
Donald J. Silverman, Esq., MOX Services
Garrett A. Smith, NNSA/HQ
K. David Stinson, MOX Services
Jack R. Strosnider, USNRC/HQ
Jon. H. Thompson, USDOE/MD
David H. Tiktinsky, USNRC/HQ
PRA/EDMS: Corresp\Outgoing\NRC\Licensing\DCS-NRC-000198

Enclosure 2

Affidavit for Proprietary License Application Submittal

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

1. I am the President and Chief Operating Officer of Shaw AREVA MOX Services, LLC (MOX Services), 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 (MFFF); and I am authorized on the part of MOX Services 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 MOX Services' application for withholding that accompanies this affidavit.
3. I have knowledge of the criteria used by MOX Services 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 MOX Services, 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 MOX Services, 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 MOX Services, 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 marked in the proprietary version and omitted from the non-proprietary version (to be submitted in the future). This information describes MOX Services' design for the MFFF. This information enables MOX Services, its partners, and/or affiliates to support the license application for the MFFF.
 - (vi) The proprietary information sought to be withheld from public disclosure has substantial commercial value to MOX Services, its partners, and/or affiliates.
 - (a) It allows MOX Services to reduce vendor and consultant expenses associated with supporting the licensing of fuel fabrication plants.

- (b) MOX Services 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 MOX Services, its partners, and/or affiliates.
5. Public disclosure of this information is likely to cause harm to MOX Services, 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 MOX Services, its partners, and/or affiliates to recoup a portion of its expenditures or benefit from the sale of the information.

K. David 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. David Stinson, President and Chief Operating Officer

Subscribed and sworn to on this 15 day of November, 2006


Notary Public

My Commission Expires:

My Commission Expires
September 10, 2011

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