



November 7, 2007  
E-25506

U. S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852

**Subject:** Revision 1 to Transnuclear, Inc. (TN) Application for Amendment 10 to the Standardized NUHOMS<sup>®</sup> System (Docket No. 72-1004; TAC NO. L24052)

**Reference:** Letter from Joseph M. Sebrosky (NRC) to Donis Shaw (TN), "REQUEST FOR ADDITIONAL INFORMATION FOR REVIEW OF AMENDMENT 10 TO THE STANDARDIZED NUHOMS<sup>®</sup> SYSTEM (TAC NO. L24052)," August 29, 2007

Gentlemen:

This submittal provides responses to the request for additional information (RAI) forwarded by the referenced letter. Enclosure 4 herein provides each of the NRC staff RAI followed by a TN response. Enclosures 5 and 6 provide Amendment 10 Revision 1 proprietary and non-proprietary versions of proposed changes to the NUHOMS<sup>®</sup> CoC 1004 Technical Specifications and the Standardized NUHOMS<sup>®</sup> System UFSAR, Revision 9, respectively.

In the Technical Specifications, the Amendment 10 Revision 1 changes are shown as bold font to distinguish them from the Amendment 10 Revision 0 changes. If the Revision 0 information was predominantly bolded, the Revision 1 changes are shown non-bolded. Both Revision 0 and Revision 1 changes continue to be indicated by italicized text and revision bars.

For the UFSAR, replacement and new Amendment 10 pages are provided, annotated as Revision 1, with changes indicated by revision bars. Certain changes made in response to an RAI had already been made through the 10 CFR 72.48 process. Those changes are indicated by double revision bars and "72.48." Certain other UFSAR pages have RAI-related changes and non-RAI-related 72.48 changes. Again, those 72.48 changes are indicated by double revision bars and "72.48."

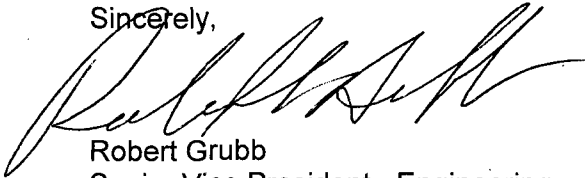
Based on the Conversation Record for the 10/5/07 telephone call between TN and the NRC staff, TN commits to providing proposed Technical Specifications changes, including the revised UFSAR pages, on boron neutron absorber material for the 61BT, 32PT, and 24PTH dry shielded canister (DSC) designs not involved with Amendment 10 by January 28, 2008.

This submittal includes proprietary information which may not be used for any purpose other than to support your staff's review of the application. In accordance with 10 CFR 2.390, I am providing an affidavit (Enclosure 1) specifically requesting that you withhold this proprietary information from public disclosure. This submittal also contains appropriately labeled security-related sensitive information which should be withheld under 10 CFR 2.390. Based on this, two different versions of this application are enclosed, a "Proprietary, Non-public" version, and a "Non-proprietary, Public" version.

NRSS01

Should the NRC staff require additional information to support review of this application, please do not hesitate to contact Mr. Don Shaw at 410-910-6878 or me at 410-910-6930.

Sincerely,



Robert Grubb  
Senior Vice President - Engineering

cc: Jennifer Davis (NRC SFST) (11 paper copies of this cover letter and Enclosures 1 through 5, and Enclosure 7, provided in a separate mailing)

Enclosures:

1. Affidavit
2. TN Report Number E-25768, "Evaluation of Creep of NUHOMS® Basket Aluminum Components under Long Term Storage Conditions"
3. Additional Changes to the FSAR and Technical Specifications that are not Directly Related to Specific RAI Questions
4. RAI Responses
5. Amendment 10 Revision 1 Proposed changes to the NUHOMS® CoC 1004 Certificate of Compliance, Amendment 9, the associated Technical Specifications, and the UFSAR, Revision 9 (Proprietary, Non-public version)
6. Amendment 10 Revision 1 Proposed changes to the NUHOMS® CoC 1004 Certificate of Compliance, Amendment 9, the associated Technical Specifications, and the UFSAR, Revision 9 (Non-proprietary, Public version)

**AFFIDAVIT PURSUANT  
TO 10 CFR 2.390**

Transnuclear, Inc.                    )  
State of Maryland                 )    SS.  
County of Howard                    )

I, Robert Grubb, 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, 4 and 5 and as listed below:

1. Certain portions of the responses to RAIs 3-4, 3-6, 3-8, 3-12, 9-11, 9-13, and 9-15 are considered proprietary
2. UFSAR Drawings Listed in Sections T.1.5 and U.1.5
3. Certain parts of UFSAR Sections T.3.5 and T.3.6
4. Certain parts of UFSAR Sections U.3.5
5. The enclosed TN Report Number E-25768, "Evaluation of Creep of NUHOMS® Basket Aluminum Components under Long Term Storage Conditions"

These documents 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.

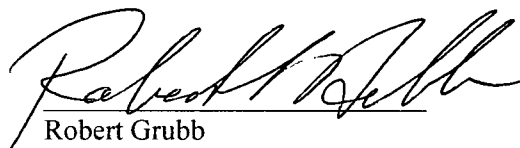
Pursuant to the provisions of paragraph (b) (4) of Section 2.390 of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure, included in the above referenced document, should be withheld.

- 1) The information sought to be withheld from public disclosure are the design drawings and information related to analyses of high burnup fuel and aluminum creep, which are owned and have 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:

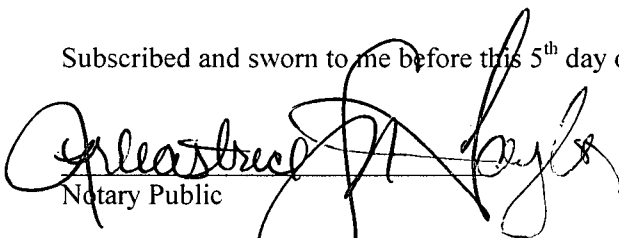
- a) A similar product is manufactured and sold by competitors of Transnuclear, Inc.
- b) Development of this information by Transnuclear, Inc. required expenditure of considerable resources. To the best of my knowledge and belief, a competitor would have to undergo similar expense in generating equivalent 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 descriptions of the design and analysis of dry spent fuel storage and transportation systems, the application of which provide 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.



Robert Grubb  
Senior Vice President, Transnuclear, Inc.

Subscribed and sworn to me before this 5<sup>th</sup> day of November, 2007.

  
Notary Public

My Commission Expires 10 / 14 / 2008

