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U.S. Nuclear Regulatory Commission
Washington, DC 20555

28 April 2009
DCS-NRC-000234

Subject: Docket Number 070-03098
Shaw AREVA MOX Services
Mixed Oxide Fuel Fabrication Facility
Submittal of License Application and Integrated Safety Analysis Summary
Changes Based on High Alpha Waste Safety Evaluation

Shaw AREVA MOX Services, LLC (MOX Services) hereby submits to the U.S. Nuclear Regulatory Commission (NRC) proposed page changes to the License Application (LA) and Integrated Safety Analysis Summary (ISAS) for the Mixed Oxide Fuel Fabrication Facility (MFFF).

The changes are based on MOX Services completion of additional analysis regarding high alpha waste storage. Enclosure (1) contains the proposed change pages for the LA. Enclosure (2) contains proposed change for the ISAS. Changes from the last LA and ISAS submittal are denoted by vertical lines in the right margin (the pagination and page revision dating are not updated). Formal submittal of LA and ISAS changes will be included in the next MOX Services update

If you have any questions, please feel free to contact me or Dealis Gwyn, Licensing and Regulatory Compliance Manager at (803) 819-2780.

Sincerely,



David Stinson
President and Project Manager

KDS

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Enclosures

- (1) Proposed Change Pages to MFFF License Application
- (2) Proposed Change Pages to MFFF Integrated Safety Analysis Summary
- (3) Affidavit for Integrated Safety Analysis Summary Change Pages

cc: (w/ encl.)
David H. Tiktinsky, USNRC/HQ

cc: (w/o encl.):
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Enclosure 3

**Affidavit for
Integrated Safety Analysis Summary Change Pages**

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

1. I am the President 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. 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

Subscribed and sworn to on this 28 day of April, 2009



Notary Public

My Commission Expires:

MY COMMISSION EXPIRES 12-15-2009

SEAL

