

November 18, 2010

Mr. Richard W. Boyle, Chief
Radioactive Materials Branch
Office of Hazardous Materials Technology
1200 New Jersey Ave., S.E.
Washington, DC 20590

SUBJECT: NRC PROPRIETARY REVIEW OF DEPARTMENT OF TRANSPORTATION'S
SUBMITTAL FOR REVALIDATION OF JAPANESE COMPETENT AUTHORITY
CERTIFICATE J/105/AF-96, MODEL MFC-1 (TAC NO. L24445)

Dear Mr. Boyle:

By letter dated April 29, 2010, Department of Transportation submitted a request to the Nuclear Regulatory Commission staff for revalidation of Japanese Certificate of Approval No. J/105/AF-96 dated December 1, 2009 which included a Transnuclear affidavit, signed by Jayant Bondre, dated April 30, 2010. The Transnuclear affidavit requested that material within the Safety Analysis Report be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations (10 CFR) Section 2.390.

We have reviewed the application and all the supporting information in accordance with the requirements of 10 CFR 2.390, and we have concluded that the SAR information claimed as proprietary has not been marked in accordance with the requirements of 10 CFR 2.390(b)(1)(i). Specifically, the information is not marked as Proprietary Information or otherwise annotated as privileged information. Accordingly, staff has concluded that the information sought to be withheld from public disclosure does not meet the requirements of 10 CFR 2.390.

If the applicant chooses to resubmit the material, the staff requests that the applicant provide a minimum of two computer discs. One computer disc should contain both the input and output files for computer code analyses associated with the application, and this disc must be labeled as proprietary. All other information associated with the application should be in PDF format and should be provided on one or more computer discs. Each page within PDF documents which contains proprietary information should be marked in accordance with the requirements of 10 CFR 2.390(b)(1)(i).

Unless a response to this letter is received within 30 days of the date of this letter, the subject material will be placed in the Nuclear Regulatory Commission's Agencywide Documents Access and Management System. If, within 30 days of the date of this letter, you request withdrawal of the documents in accordance with regulatory requirements (including appropriate markings), your request will be reviewed and a determination made whether the documents will be released to the public, withheld from public disclosure, or returned to you.

R. Boyle

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If you have any questions regarding this matter, you may contact me at (301) 492-3148.

Sincerely,

/RA/

William C. Allen, Project Manager

Licensing Branch

Division of Spent Fuel Storage and Transportation

Office of Nuclear Material Safety

and Safeguards

Docket No. 71-3043

TAC No. L24445

R. Boyle

-2-

If you have any questions regarding this matter, you may contact me at (301) 492-3148.

Sincerely,

/RA/

William C. Allen, Project Manager
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-3043

TAC No. L24445

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