

VIRGINIA ELECTRIC AND POWER COMPANY  
RICHMOND, VIRGINIA 23261

July 21, 2011

ATTN: Document Control Desk  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Serial No. 11-251  
NLOS/TJS R1  
Docket Nos. 50-280  
50-281  
72-55  
License Nos. DPR-32  
DPR-37

**VIRGINIA ELECTRIC AND POWER COMPANY**  
**SURRY POWER STATION UNITS 1 AND 2**  
**EXEMPTION REQUEST FOR NUHOMS® HD DRY SHIELDED CANISTERS LOADED**  
**TO INCORRECT HEAT LOAD LIMITS**

Pursuant to 10 CFR 72.7, Virginia Electric and Power Company (Dominion) requests a one-time exemption from the requirements of 10 CFR 72.212(b)(3) and (b)(11) for NUHOMS® HD Dry Shielded Canisters (DSC), Model Number HD-32PTH, with serial numbers DOM-32PTH-001-C, -002-C, -003-C, and -009-C due to a non-compliance with the terms and conditions of the Transnuclear, Inc. Certificate of Compliance (CofC) Number 1030, Amendment 0, at the time of cask loading. The regulations require, in part, compliance to the terms and conditions of CofC 1030.

Contrary to this requirement, the four DSCs identified above were not loaded in compliance with CofC 1030, Amendment 0. The 32PTH DSC is designed for zoned loading with respect to decay heat. The four center locations are divided into an upper Zone "1b" and a lower Zone "1a" with the lower Zone "1a" locations allowing a greater decay heat than the upper Zone "1b" locations. The upper and lower orientation of the Zone "1b" and "1a" locations were reversed when preparing the DSC loading maps for the affected DSCs. As a result, fuel assemblies qualified to the Zone "1a" decay heat limit were placed in Zone "1b" locations when the DSCs were loaded. It has been determined that the DSC Zone "1b" location decay heat limit was exceeded for five fuel assemblies distributed over the four affected DSCs at the time of loading.

Upon discovery, an extent of condition review was performed on all Surry DSCs. It was verified that all DSC loadings were below the total heat load limit for the DSC and the combined Zone 1a and Zone 1b heat load limit at the time of loading. Only the decay heat limit for the individual fuel cell was exceeded at the time of loading for the five assemblies distributed over the four affected DSCs. The decay heat for the five affected assemblies currently meets the decay heat limit for their location within the DSC due to the time they have been in storage.

NMS526

The design basis shielding analysis was verified to remain bounding for the as-loaded DSCs. The design basis shielding analysis assumes a DSC loading of 32 assemblies all having source terms applicable to assemblies generating 1.5 kW of decay heat and therefore bounds the as-loaded DSCs. The reactivity parameters for the fuel and DSCs were also verified to be unaffected by the loading error and therefore remain bounded by the design basis analysis assumptions.

A thermal evaluation which conservatively bounds the as-loaded configurations of the affected DSCs has been performed by Transnuclear, Inc., the CoC holder for the 32PTH DSC. This evaluation was performed consistent with the methods and assumptions used for the 32PTH DSC thermal analysis described in the NUHOMS® HD Updated Final Safety Analysis Report (UFSAR). The evaluation concludes the fuel cladding temperatures did not exceed the fuel cladding temperature design limit of 400°C (752°F) for storage or transfer conditions. Further it shows that the DSC fuel compartment and support rail temperatures were bounded by those used in the design basis analysis, indicating there was no impact on the design basis structural evaluation of the DSC basket due to the loading error. The evaluation also concludes that the maximum DSC internal pressure remained below the design limit for the as-loaded configurations.

The four DSCs are currently considered operable and performing their intended safety functions. Post-loading surveillance parameters have been and continue to be within acceptable limits.

Details of Dominion's need and justification for the issuance of an exemption are included in Attachment 1.

Attachment 2 contains Transnuclear, Inc. Calculation Number 10494-174, "Effect of the Reversed Loading Patterns on the Thermal Performance of 32PTH DSC". This calculation is PROPRIETARY to Transnuclear, Inc. and is requested to be withheld from public disclosure in accordance with 10 CFR 9.17(a)(4) and 10 CFR 2.390(a)(4). An affidavit attesting to the proprietary nature of the information is provided in Attachment 2.

There are no commitments contained in this submittal.

If you have any questions or require additional information, please contact Mr. Thomas Szymanski at (804) 273-3065.



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**Attachment 1**

**Exemption Request**

**Virginia Electric and Power Company  
(Dominion)  
Surry Power Station Units 1 and 2**

**Attachment 1**

**Request for Exemption from the Provisions of  
10 CFR 72.212(b)(3) and (b)(11) to Allow the Continued Storage of NUHOMS® HD  
DSC Loaded to Incorrect Heat Load Limits at SPS**

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**Request for Exemption from the Provisions of  
10 CFR 72.212(b)(3) and (b)(11) to Allow the Continued Storage of NUHOMS® HD  
DSC Loaded to Incorrect Heat Load Limits at SPS**

**1.0 Request for Exemption**

Pursuant to 10 CFR 72.7, Dominion requests a one-time exemption from the requirements of 10 CFR 72.212(b)(3) and (b)(11) for Transnuclear, Inc. NUHOMS® HD 32PTH DSCs with serial numbers DOM-32PTH-001-C, -002-C, -003-C and -009-C due to a non-compliance with the terms and conditions of the Transnuclear, Inc. Certificate of Compliance (CofC) 1030, Amendment 0, at the time of cask loading. The regulations require, in part, compliance to the terms and conditions of CofC 1030. Contrary to this requirement, these four DSCs were not loaded in compliance with CofC 1030, Amendment 0. The 32PTH DSC is designed for zoned loading with respect to decay heat. The four center locations are divided into an upper Zone 1b and a lower Zone 1a with the lower Zone 1a locations allowing a greater decay heat than the upper Zone 1b locations. The upper and lower orientation of the Zone 1b and 1a locations were reversed when preparing the DSC loading maps for the affected DSCs. As a result of this error, five fuel assemblies were placed in DSC locations where their decay heat at the time of loading slightly exceeded the Functional and Operating Limits established by CofC 1030, Amendment 0 Technical Specification Section 2.1. The five assemblies are distributed over the four DSCs identified above.

**2.0 Background**

The Transnuclear, Inc., NUHOMS® HD 32PTH storage system, utilizes a dry shielded canister (DSC) designed to hold 32 spent fuel assemblies for independent spent fuel storage installation (ISFSI) deployment. The system commonly referred to as the NUHOMS® HD 32PTH DSC or 32PTH DSC is listed in 10 CFR 72.214 as Certificate Number 1030. This system is currently installed and in use at the Surry Power Station under a general license. During an internal review of historical SPS NUHOMS® HD System ISFSI Fuel Certifications on March 24, 2011, Dominion discovered that due to a miss-orientation of the Zone 1a and Zone 1b locations on the DSC loading maps, five fuel assemblies distributed over four DSCs had been loaded in a manner inconsistent with the CofC for the NUHOMS® HD 32PTH storage system and exceeded the decay heat limit for their storage location (Figures 1 through 4).

Upon discovery of the condition, the actions contained in Appendix A, Section 2.2 of CofC 1030, Functional and Operating Limits Violations, were initiated. The affected fuel and DSCs were verified to be in a safe condition, the NRC Operations center was notified of the event within 24 hours (Reference 1) and a 30-day special report was sent to the NRC (Reference 2).

The maximum decay heat of the five SPS affected fuel assemblies at the time of loading was 0.806 kW which exceeded the specific location limit of 0.8 kW by six watts. The five affected fuel assemblies have been in dry storage for a minimum of 2.5 years and all now meet their DSC location specific decay heat limit (Table 1).

No Technical Specifications (TS) changes for Surry Units 1 and 2 are required as this exemption request is only to be applied to the four DSCs identified.

### **3.0 Technical Considerations**

Upon discovery, an extent of condition review was performed on Surry DSCs. It was verified that the as-loaded configurations were below the total heat load limit for the DSC and the combined Zone 1a and Zone 1b heat load limit at the time of loading. Only the decay heat limit for the individual fuel cell was exceeded at the time of loading for the five assemblies distributed over the four affected DSCs. The decay heat for the five affected assemblies currently meets the decay heat limit for their location within the DSC due to the time they have been in storage.

Transnuclear, Inc. has performed a thermal analysis which conservatively bounds the as-loaded configurations of the affected DSCs (Attachment 2). This evaluation was performed consistent with the methods and assumptions used for the 32PTH DSC thermal analysis provided in the NUHOMS® HD UFSAR. The evaluation conservatively assumed fuel assembly decay heat loads consistent with the UFSAR design basis loading pattern configuration that achieves the maximum fuel clad temperature results, with the exception of the Zone 1b locations. The decay heat for the Zone 1b locations was increased to 0.86 kW to bound the as-loaded (maximum 0.806 kW) heat loads of the Zone 1b locations. This analyzed configuration bounds the as-loaded decay heat conditions for the affected DSCs and conservatively increases the total DSC decay heat to greater than the current design basis analysis decay heat limit. Additionally this results in a combined Zone 1a and 1b total decay heat greater than the allowable decay heat for this region. Consistent with the NUHOMS® HD UFSAR, the evaluation assumes an ambient temperature of 115°F consistent with off-normal storage conditions for determining the maximum fuel cladding and component temperatures. This evaluation concludes the fuel cladding temperatures did not exceed the fuel cladding temperature design limit of 400°C (752°F) for storage or transfer conditions. Further it shows that the DSC fuel compartment and support rail temperatures were bounded by those used in the design basis analysis, indicating there is no impact on the current design basis structural evaluation of the DSC basket due to the loading error. The evaluation also concludes that the maximum DSC internal pressure remained below the design limit for the as-loaded configurations.

The design basis shielding analysis assumed a DSC loading of 32 assemblies having source terms applicable to assemblies generating 1.5 kW of decay heat (Reference 3).

As the Technical Specifications restrict the number of actual assemblies that can have a decay heat of 1.5 kW to eight, this significantly bounds the as-loaded DSCs providing assurance the design basis shielding analysis remains bounding.

Reactivity parameters for the fuel assemblies or DSCs were not affected due to the loading error. The reactivity parameters of the fuel at the time of loading met Technical Specification requirements as verified in the respective loading certification documents for each DSC.

The four affected DSCs are currently considered operable and performing their intended safety functions with associated surveillance parameters within acceptance limits.

#### **4.0 Regulatory Considerations**

The specific requirements for granting exemptions to 10 CFR Part 72 licensing requirements are set forth in 10 CFR 72.7, Specific Exemptions, which reads as follows: *"The Commission may, upon application by any interested person or upon its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest."* Dominion has determined that an exemption to 10 CFR 72.212(b)(3) and (b)(11) is necessary to allow continued storage of spent fuel assemblies in SPS ISFSI DSCs DOM-32PTH-001-C, -002-C, -003-C and -009-C due to non-compliance with the terms and conditions of CofC 1030, Amendment 0, at the time of loading. Dominion's evaluation and Transnuclear, Inc.'s thermal analysis have determined that the affected DSCs remain bounded by the system's design basis limits.

Although the decay heat of the affected assemblies in the DSCs has decreased to within the CofC limits, loading fuel assemblies outside of location specific, heat load CofC limits is not allowed. Dominion requests an exemption in order to document the acceptability and safety basis for allowing the affected DSCs to remain loaded in their current configuration. An alternative exists to unload the four DSCs, however, it is Dominion's position that it would not be prudent to do so. Unloading the DSCs in question would subject station personnel to unnecessary radiation exposure, generate additional contaminated waste, increase the risk of a possible fuel handling accident, and increase the risk of a possible heavy load handling accident. Given that the Dominion and Transnuclear, Inc. evaluations performed support that the DSCs as-loaded are in a safe condition, an exemption to allow the continued storage of the four DSCs in their current configuration is justified and requested.

The requested exemption to continue to store fuel as-loaded in the four DSCs identified above has low safety significance and will not endanger life and property or the common defense and security. It is also in the public's interest to grant an exemption since the small improvement in safety margin achieved by unloading the affected DSCs

is not commensurate with the increased dose to station workers, increased risk of contamination, and increased risk of both a possible fuel handling accident and a possible heavy load handling accident during the unloading. Dominion considers that the requirements to grant an exemption pursuant to 10 CFR 72.7 have been met and that an exemption is justified.

## **5.0 Summary**

Dominion requests a one-time exemption from the requirements of 10 CFR 72.212(b)(3) and (b)(11) for Transnuclear, Inc. NUHOMS<sup>®</sup> HD 32PTH DSCs stored at SPS with serial numbers DOM-32PTH-001-C, -002-C, -003-C and -009-C due to their non-compliance with the terms and conditions of CofC 1030, Amendment 0, at the time of loading. The regulations require, in part, compliance with the applicable CofC. Contrary to this requirement, four DSCs located at SPS were not loaded in compliance with CofC 1030, Amendment 0, in that a total of five fuel assemblies distributed over the four DSCs were loaded with a decay heat slightly in excess of that allowed for their storage location in the DSC. Dominion and Transnuclear, Inc. evaluations have determined the integrity of the four DSCs affected and the five fuel assemblies involved was not compromised due to the misloading. This one-time exemption will not endanger life or property or the common defense and security and are in the public interest and meet the intent of 10 CFR 72.7.

## **6.0 References**

1. Reactor Plant Event Notification Worksheet, EN# 46698, 03/24/11
2. Special Report on NUHOMS<sup>®</sup> Dry Shielded Canisters Loaded to Incorrect Heat Load Limits, Serial No. 11-244, 04/25/11
3. "Safety Analysis Report for the NUHOMS<sup>®</sup> HD Horizontal Modular Storage System for Irradiated Nuclear Fuel", Transnuclear Inc.
4. NUHOMS<sup>®</sup> HD Certificate of Compliance No. 1030, Amendment 0

Figure 1  
DSC ID: DOM-32PTH-001-C  
Decay Heat at Time of Loading

	1 3K4 954 1100 Z2	2 1J8 797 1500 Z3	3 2J5 799 1500 Z3	4 3K7 978 1100 Z2	
5 4K6 940 1100 Z2	6 4K7 958 1100 Z2	7 4K8 950 1100 Z2	8 5K2 959 1100 Z2	9 5K4 971 1100 Z2	10 5K8 972 1100 Z2
11 3Y9 1149 1500 Z3	12 0V9 782 1100 Z2	13 4U5 782 800 Z1B	14 0V4 804 800 Z1B	15 1V9 787 1100 Z2	16 2V5 797 1500 Z3
17 4Y3 1150 1500 Z3	18 2V1 792 1100 Z2	19 1G4 758 1050 Z1A	20 3G8 754 1050 Z1A	21 2V2 795 1100 Z2	22 5V1 796 1500 Z3
23 2V9 781 1100 Z2	24 3V0 783 1100 Z2	25 3V8 787 1100 Z2	26 4V2 781 1100 Z2	27 4V3 778 1100 Z2	28 5V4 795 1100 Z2
	29 6V3 785 1100 Z2	30 3Y7 1155 1500 Z3	31 3Y6 1133 1500 Z3	32 6V4 781 1100 Z2	

Cell No.	F/A ID	Decay Heat (Watts)	Zone Limit (Watts)	Zone ID
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Total Decay Heat for DSC = 27,983 Watts

Total Decay Heat for Combined Zones 1b and 1a = 3,098 Watts

Limit = 34,800 Watts

Limit = 3,200 Watts

Figure 2  
DSC ID: DOM-32PTH-002-C  
Decay Heat at Time of Loading

	1 21B 948 1100 Z2	2 03C 1116 1500 Z3	3 08C 1124 1500 Z3	4 51A 1046 1100 Z2	
5 09B 951 1100 Z2	6 22B 944 1100 Z2	7 23B 942 1100 Z2	8 32B 936 1100 Z2	9 15L 1005 1100 Z2	10 52A 929 1100 Z2
11 33B 1237 1500 Z3	12 17L 1013 1100 Z2	13 2H1 801 800 Z1B	14 2H3 790 800 Z1B	15 18L 971 1100 Z2	16 40B 1258 1500 Z3
17 34B 1225 1500 Z3	18 20L 1001 1100 Z2	19 4U2 764 1050 Z1A	20 4U1 753 1050 Z1A	21 22L 997 1100 Z2	22 41B 1362 1500 Z3
23 60A 933 1100 Z2	24 24L 973 1100 Z2	25 25L 966 1100 Z2	26 28L 992 1100 Z2	27 30L 995 1100 Z2	28 53A 943 1100 Z2
	29 56A 1046 1100 Z2	30 35B 1293 1500 Z3	31 38B 1249 1500 Z3	32 54A 1090 1100 Z2	

Cell No.
F/A ID
Decay Heat (Watts)
Zone Limit (Watts)
Zone ID

Total Decay Heat for DSC = 32,590 Watts

Total Decay Heat for Combined Zones 1b and 1a = 3,108 Watts

Limit = 34,800 Watts

Limit = 3,200 Watts

Figure 3  
DSC ID: DOM-32PTH-003-C  
Decay Heat at Time of Loading

	1 3K8 953 1100 Z2	2 1K3 959 1500 Z3	3 46A 1128 1500 Z3	4 3K9 957 1100 Z2	
5 4K0 965 1100 Z2	6 4K2 952 1100 Z2	7 4K3 953 1100 Z2	8 5K9 959 1100 Z2	9 6K0 961 1100 Z2	10 03A 1030 1100 Z2
11 5Y5 1157 1500 Z3	12 11A 1059 1100 Z2	13 0V7 806 800 Z1B	14 2V8 802 800 Z1B	15 15A 1022 1100 Z2	16 38A 1151 1500 Z3
17 61A 1128 1500 Z3	18 17A 1015 1100 Z2	19 0G8 760 1050 Z1A	20 1G1 755 1050 Z1A	21 21A 1048 1100 Z2	22 45A 1157 1500 Z3
23 27A 1053 1100 Z2	24 49A 988 1100 Z2	25 57A 993 1100 Z2	26 58A 993 1100 Z2	27 59A 994 1100 Z2	28 16B 1030 1100 Z2
	29 27L 1042 1100 Z2	30 55A 1141 1500 Z3	31 02A 1343 1500 Z3	32 32L 1043 1100 Z2	

Cell No.	F/A ID	Decay Heat (Watts)	Zone Limit (Watts)	Zone ID
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Total Decay Heat for DSC = 32,300 Watts

Total Decay Heat for Combined Zones 1b and 1a = 3,123 Watts

Limit = 34,800 Watts

Limit = 3,200 Watts

Figure 4  
DSC ID: DOM-32PTH-009-C  
Decay Heat at Time of Loading

	1 09A 982 1100 Z2	2 02B 1191 1500 Z3	3 03B 1278 1500 Z3	4 22A 980 1100 Z2	
5 26A 990 1100 Z2	6 31A 980 1100 Z2	7 33A 985 1100 Z2	8 3W3 1040 1100 Z2	9 3W5 1052 1100 Z2	10 3W9 1033 1100 Z2
11 14B 1196 1500 Z3	12 5W3 1061 1100 Z2	13 1H6 804 800 Z1B	14 0J9 800 800 Z1B	15 5W4 1055 1100 Z2	16 05B 1195 1500 Z3
17 13B 1224 1500 Z3	18 5W7 1087 1100 Z2	19 1G8 764 1050 Z1A	20 0V5 774 1050 Z1A	21 5W9 1074 1100 Z2	22 06B 1197 1500 Z3
23 6W7 1091 1100 Z2	24 3W4 1075 1100 Z2	25 4W2 1072 1100 Z2	26 2X9 963 1100 Z2	27 3X1 950 1100 Z2	28 3X8 959 1100 Z2
	29 5X1 968 1100 Z2	30 08B 1259 1500 Z3	31 12B 1259 1500 Z3	32 48A 977 1100 Z2	

Cell No.
F/A ID
Decay Heat (Watts)
Zone Limit (Watts)
Zone ID

Total Decay Heat for DSC = 33,310 Watts

Total Decay Heat for Combined Zones 1b and 1a = 3,142 Watts

Limit = 34,800 Watts

Limit = 3,200 Watts

Table 1  
Fuel Assembly Decay Heat Verification

Decay Heat at Time of Loading

Surry	Assembly ID	Burnup For Certification (GWD/MTU)	Enrichment For Certification	Last Irradiation Date	Loading Date	Cooling Time (Years)	Decay Heat (Watts) <sup>1</sup>
DSC 001	0V4	47.195	3.76	02/03/95	07/30/07	12.5	804
DSC 002	2H1	47.424	3.75	09/08/95	07/01/08	12.8	801
DSC 003	0V7	47.314	3.75	02/03/95	08/09/07	12.5	806
	2V8	47.145	3.76	02/03/95	08/09/07	12.5	802
DSC 009	1H6	46.968	3.76	09/08/95	01/01/08	12.3	804

Decay Heat at Date of Discovery

Surry	Assembly ID	Burnup For Certification (GWD/MTU)	Enrichment For Certification	Last Irradiation Date	Date of Discovery	Cooling Time (Years)	Decay Heat (Watts) <sup>1</sup>
DSC 001	0V4	47.195	3.76	02/03/95	03/24/11	16.1	728
DSC 002	2H1	47.424	3.75	09/08/95	03/24/11	15.5	743
DSC 003	0V7	47.314	3.75	02/03/95	03/24/11	16.1	731
	2V8	47.145	3.76	02/03/95	03/24/11	16.1	727
DSC 009	1H6	46.968	3.76	09/08/95	03/24/11	15.5	733

1. Decay heat determined using CoC 1030 Amendment 0 Technical Specification Table 4.

**Attachment 2**

**Affidavit pursuant to 10 CFR 2.390(4) Request for Withholding from Public Disclosure**

**Transnuclear, Inc. Calculation No. 10494-174**

**Effect of the Reversed Loading Patterns on the Thermal Performance of 32PTH DSC**

**Virginia Electric and Power Company  
(Dominion)  
Surry Power Station Units 1 and 2**



Mr. Cary Laroe  
Supervisor, Nuclear Engineering  
Dominion, Nuclear Analysis and Fuel  
500 Dominion Blvd  
Glen Allen, VA 23060

E-31109  
TN Project 10494  
June 21, 2011

**Subject:** Affidavit for TN Calculation 10494-174

**Reference:**

1. Dominion Master Services Agreement: 46017934
2. Dominion Release No.: 7010848
3. TN Calculation 10494-174

**Attachments:** Affidavit Pursuant to 10 CFR 2.390

Dear Mr. Laroe

Please find attached an Affidavit concerning the proprietary nature of TN Calculation 10494-174 (Ref 3). TN recognizes that Dominion Resources will be using Ref 3 as an appendix to the following exemption letter:

For Surry:

Letter Serial No. 11-251

Virginia Electric and Power Company

Surry Power Station Units 1 and 2

Exemption Request for NUHOMS<sup>®</sup> HD Dry Shielded Canisters Loaded to Incorrect Heat Load Limits

For North Anna:

Letter Serial No. 11-262

Virginia Electric and Power Company

North Anna Power Station Units 1 and 2

Exemption Request for NUHOMS<sup>®</sup> HD Dry Shielded Canisters Loaded to Incorrect Heat Load Limits

Please attach the affidavit to the cover of the calculation (Ref 3) whenever submitting the document to the NRC as part of the aforementioned letter(s). Reference 3 is intended for Dominion use and is not intended for public dissemination.

If you have any questions, please feel free to contact me at (410) 910-6949 or Ken.Boone@AREVA.com.

Best Regards,

A handwritten signature in cursive script that reads 'KBoone'.

Kenneth R. Boone

Sr. Project Manger

Cc: R. Robins

**TRANSNUCLEAR INC.**

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**AFFIDAVIT PURSUANT**  
**TO 10 CFR 2.390**

Transnuclear, Inc.  
State of Maryland  
County of Howard

I, Jayant Bondre, depose and say that I am a Vice President of Transnuclear, Inc., duly authorized to execute 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 listed below:

TN Calculation 10494-174 Rev 0: Effect of Reversed Loading Patterns on the thermal Performance of 32PTH DSC.

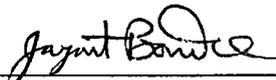
This document has been appropriately designated as proprietary.

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.

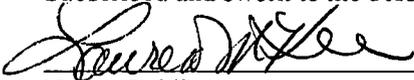
Pursuant to the provisions of paragraph (b) (4) of Section 2.390 of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure, included in the above referenced document, should be withheld.

- 1) The information sought to be withheld from public disclosure involves details and analyses related to Transnuclear, Inc.'s design for the NUHOMS® 32PTH Dry Shielded Canister, 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) Public disclosure of the information is likely to cause substantial harm to the competitive position of Transnuclear, Inc. because the information consists of details and analyses related to Transnuclear, Inc.'s design for the NUHOMS® 32PTH Dry Shielded Canister, 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.

Further the deponent sayeth not.

  
\_\_\_\_\_  
Jayant Bondre  
Vice President, Transnuclear, Inc.

Subscribed and sworn to me before this 21<sup>th</sup> day of June, 2011.

  
\_\_\_\_\_  
Notary Public

My Commission Expires      **Lauren McKee**  
   **NOTARY PUBLIC**  
   **Anne Arundel County, Maryland**  
   **My Commission Expires 2/12/2015**

