

71-3080



U.S. Department of Transportation
Pipeline and Hazardous Materials
Safety Administration

1200 New Jersey Ave, S.E.
Washington, D.C. 20590

MAY 07 2015

Mark Lombard, Director
Division of Spent Fuel Management
Office of Nuclear Material Safety and Safeguards (NMSS)
U.S. Nuclear Regulatory Commission
11545 Rockville Pike
Mail Stop TWFN 4 B34
Rockville, MD 20852-2738

Dear Mr. Lombard:

In accordance with the Memorandum of Understanding between our agencies, I request that you review the enclosed request from Areva, Inc. to review the German Certificate of Approval No. D/4365/AF-96, Revision 2 for the ANF-50 package and make a recommendation concerning our revalidation of the package for import and export use. Your office previously reviewed this package (Docket No. 71- 3080, TAC No. L24702) and by letter of December 17, 2013, recommended our revalidation of Revision 1 of the German certificate.

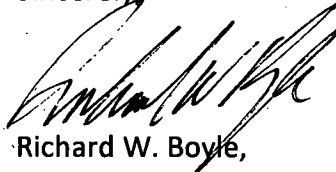
Your previous review recommended three conditions, including a minimum criticality safety index (CSI) for the ANF-50 package of 0.6. In their current application, Areva has requested that the minimum CSI be decreased from 0.6 to 0.4. They have not requested relief from the other two conditions you recommended.

To assist you in your review, I am providing an electronic copy of the documentation received from Areva. Please note that they have provided an affidavit, in accordance with 10 CFR 2.390, specifically requesting that you withhold proprietary information included in portions of their submittal from public disclosure.

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I request you provide an estimate of the time needed to complete your review. If you have any questions or need any additional safety information, please feel free to contact Michael Conroy of my staff at (202) 366-3597 or via email at Michael.Conroy@dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard W. Boyle". The signature is written in a cursive style with a large, sweeping initial "R".

Richard W. Boyle,
Sciences Branch
Division of Engineering and Research
Office of Hazardous Materials
Technology

Enclosures



E-41337
April 15, 2015

U.S. Department of Transportation
Attn: Mr. Richard W. Boyle, Chief
Pipeline & Hazardous Materials Safety Administration
Radioactive Materials Branch
1200 New Jersey Avenue, S.E.
East Building, PHH-20
Washington, DC 20590

Subject: Revalidation Application for German Certificate of Approval D/4365/AF-96 (Rev. 2) for the ANF-50

References: Competent Authority Certification for a Type Fissile Radioactive Materials Package Design Certificate USA/0745/AF-96, Revision 2, Revalidation of German Competent Authority Certificate D/4365/AF-96, dated January 13, 2014

Safety Report for the Shipping Container ANF-50 as type A-package, Report Number ANFG-11.105 (05E), Revision 11

Dear Mr. Boyle:

AREVA Inc. requests a revision to the Competent Authority Certification (CAC), USA/0745/AF-96, revalidation of the German Certificate of Approval of a Package Design D/4356/AF-96, Revision 2 for the Model ANF-50 Transport Package. This request for revision results from a revision to the German safety analysis report (SAR) for the ANF-50 and subsequent revision to the German Certificate of Approval. The details for the revision are covered in Enclosure 3.

In support of this application for revision AREVA Inc. includes the following enclosures:

- Enclosure 1 provides the German Certificate of Approval of a Package Design, Number D/4365/AF-96 (Rev. 2) in English.
- Enclosure 2 provides the German Certificate of Approval of a Package Design, Number D/4365/AF-96 (Rev. 2) in German.
- Enclosure 3 provides a description of the changes to specific registers contained within the Safety Report for the Shipping Container ANF-50 as type A-package, Report Number ANFG-11.105 (05E), Revision 11. These registers have been revised since the previous submittal and subsequent revalidation approval.
- Enclosure 4 provides the revised registers for the proprietary version of the Advanced Nuclear Fuels GmbH SAR.
- Enclosure 5 provides the non-proprietary version of the revised drawing, Number AD-003795-001-009-000, Revision 9, which is included in the items discussed in Enclosure 3.
- Enclosure 6 provides an affidavit, in accordance with 10 CFR 2.390, specifically requesting that you withhold proprietary information included in Enclosure 4 of this submittal from public.

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disclosure. That information may not be used for any purpose other than to support the review of the application. A public version of the SAR drawing is provided in Enclosure 5.

Due to the size of this submittal package DVDs with this cover letter and Enclosures 1 through 6 are being provided to both you and to Mr. Conroy.

If you have questions or require further information, please call Glenn Mathues at 410-910-6538 or me at 410-910-6820.

Sincerely,



Paul Triska
Vice President, Technical Services

Enclosures:

1. German Certificate of Approval Number D/4365/AF-96 (Rev. 2) in English
2. German Certificate of Approval Number D/4365/AF-96 (Rev. 2) in German
3. List and Description of Changes (Safety Report Number ANFG-11.105 (05E) ANF-50 Revision 11)
4. Advanced Nuclear Fuels GmbH SAR Replacement Registers Report Number ANFG-11.105 (05E) Revision 11 (Proprietary)
5. Advanced Nuclear Fuels GmbH SAR Register 19, Drawing Number AD-003759-001-009-000, Revision 9 (Non-Proprietary)
6. Affidavit Pursuant to 10 CFR 2.390

cc: Michael Conroy, U.S. Department of Transportation (One DVD containing this cover letter and Enclosures 1 through 6)

AREVA TN

**AFFIDAVIT PURSUANT
TO 10 CFR 2.390**

AREVA Inc.)
State of Maryland) SS.
County of Howard)

I, Paul Triska, depose and say that I am a Vice President of AREVA 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 contained in Enclosure 4 and is listed below:

- Enclosure 4 - Portion of the Advanced Nuclear Fuels GmbH safety analysis report (SAR), Revision 11, for the ANF-50, drawing number AD-003759-001-009

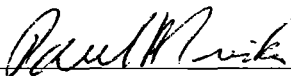
This document has been appropriately designated as proprietary.

I have personal knowledge of the criteria and procedures utilized by AREVA 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 a SAR drawing and is related to the design of the ANF-50 transportation package, which was obtained under a proprietary agreement with others, and is held in confidence by AREVA Inc.
- 2) The information is of a type customarily held in confidence by AREVA Inc. and not customarily disclosed to the public. AREVA 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 AREVA Inc. because the information is related to the design of the ANF-50 transportation package, the application of which provides a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with AREVA Inc., take marketing or other actions to improve their product's position or impair the position of AREVA Inc.'s product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.

Further the deponent sayeth not.



Paul Triska
Vice President, AREVA Inc.

Subscribed and sworn to me before this 15th day of April, 2015.



Notary Public
My Commission Expires 10/17/2015

