



May 28, 2004
NUH03-04-57

Mr. Ray Wharton
Spent Fuel Project Office, NMSS
U. S. Nuclear Regulatory Commission
11555 Rockville Pike M/S 0-6-F-18
Rockville, MD 20852

Subject: Supplemental Submittal to Application for Amendment No. 9 of the NUHOMS® Certificate of Compliance (CoC) No. 1004 for Dry Spent Fuel Storage Casks, Revision 0.

References:

1. Application for Amendment No. 9 of the NUHOMS® Certificate of Compliance (CoC) No. 1004 for Dry Spent Fuel Storage Casks, Revision 0, dated April 21, 2004.
2. CoC No. 1004, Amendment No. 5 for the Addition of NUHOMS®-32PT to the Standardized NUHOMS® System.
3. CoC No. 1004, Amendment No. 6 for the Addition of NUHOMS®-24PHB to the Standardized NUHOMS® System.
4. Updated Final Safety Analysis Report (FSAR) for the Standardized NUHOMS® Horizontal Modular Storage for Irradiated Nuclear Fuel, Revision 7 (File NUH003.0103).

Dear Mr. Wharton:

Transnuclear Inc. (TN) herewith submits a supplement to Reference 1. This submittal includes selected portions (Appendices M and N only) of the updated version of the NUHOMS® FSAR Revision 7 (Reference 4). Since this submittal is an interim version of a forthcoming FSAR Revision 8, it has been designated as FSAR Revision 7A.

Please note that the enclosed submittal reflects the recently approved CoC 1004 amendments (References 2 and 3) which are shown with a single revision bar. It also reflects the 10CFR72.48 changes to the NUHOMS® system implemented from November 2003 through May 2004, which are shown with a double revision bar. The FSAR drawing changes incorporated as a result of the approved amendments are shown within a clear bubble, while the 72.48 changes are shown within a shaded bubble.

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 2.790, I am providing an affidavit (Enclosure 1) specifically requesting that you withhold this proprietary information from public disclosure.

LimSSD1

Should you or your staff require additional information to support review of this application, please do not hesitate to contact me at 510-744-6053 or Mr. Jayant Bondre at 510-744-6043.

Sincerely,



U. B. Chopra
Licensing Manager

Docket 72-1004

- Enclosures:
1. Affidavit for withholding proprietary information.
 2. Four (4) copies of Appendix M of the NUHOMS® FSAR, Revision 7A (Proprietary Version).
 3. Four (4) copies of Appendix N of the NUHOMS® FSAR Revision 7A (Proprietary Version).
 4. One (1) copy of Appendix M of the NUHOMS® Revision 7A (Non-Proprietary Version).
 5. One (1) copy of Appendix N of the NUHOMS® Revision 7A (Non-Proprietary Version).

AFFIDAVIT PURSUANT
TO 10 CFR 2.790

Transnuclear, Inc.)
State of Washington) SS.
County of Pierce)

I, William D. Gallo, 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 2.790 of the Commission's regulations for withholding this information.

The information for which proprietary treatment is sought is contained in the Enclosures 2 and 3 as listed below:

1. TN drawings included in Appendix M.1.5 (Proprietary Version).
2. TN drawings included in Appendix N.1.5 (Proprietary Version).

These drawings have been appropriately designated as proprietary.

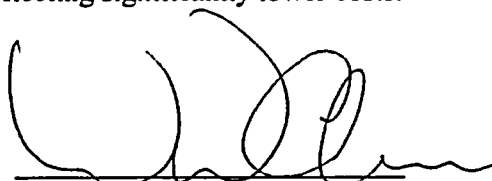
I have personal knowledge of the criteria and procedures utilized by Transnuclear, Inc. in designating information as a trade secret, privileged or as confidential commercial or financial information.

Pursuant to the provisions of paragraph (b) (4) of Section 2.790 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 design drawings of the NUHOMS® Cask, which is owned and has 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 2.790 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.

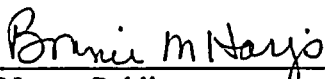
- b) Development of this information by Transnuclear, Inc. required expenditure of considerable resources. To the best of my knowledge and belief, a competitor would have to undergo similar expense in generating equivalent information.
- c) In order to acquire such information, a competitor would also 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 description of the design and analysis of a dry spent fuel storage and transportation system, 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 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.

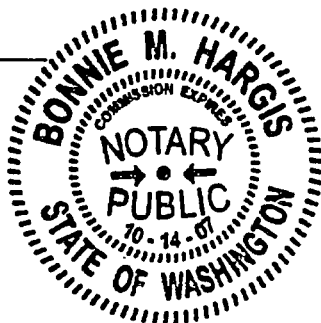
Further the deponent sayeth not.



William D. Gallo
Senior Vice President, Transnuclear, Inc.

Subscribed and sworn to me before this 27th day of May, 2004, by William D. Gallo.


Notary Public





June 3, 2004
NUH03-04-59

Mr. Ray Wharton
Spent Fuel Project Office, NMSS
U. S. Nuclear Regulatory Commission
11555 Rockville Pike M/S 0-6-F-18
Rockville, MD 20852

Subject: Revised Affidavit in Accordance with 10 CFR 2.390.

References: 1. Supplemental Submittal to Application for Amendment No. 9 of the NUHOMS®
Certificate of Compliance (CoC) No. 1004 for Dry Spent Fuel Storage Casks,
Dated May 28, 2004.

Dear Mr. Wharton:

In accordance with the requirements of 10 CFR 2.390, Transnuclear Inc. (TN) herewith submits a revised affidavit in support of withholding proprietary information included in Reference 1.

This affidavit supersedes in its entirety Enclosure 1 submitted previously with Reference 1.

Sincerely,

U. B. Chopra
Licensing Manager

Docket 72-1004

Enclosure: 1. Affidavit for withholding proprietary information.

AFFIDAVIT PURSUANT
TO 10 CFR 2.390

Transnuclear, Inc.)
State of Washington) SS.
County of Pierce)

I, William D. Gallo, 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 the Enclosures 2 and 3 as listed below:

1. TN drawings included in Appendix M.1.5 (Proprietary Version).
2. TN drawings included in Appendix N.1.5 (Proprietary Version).

These drawings have been appropriately designated as proprietary.

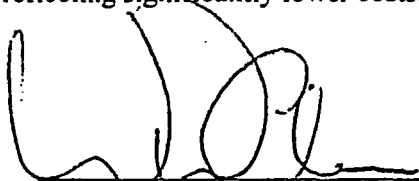
I have personal knowledge of the criteria and procedures utilized by Transnuclear, Inc. in designating information as a trade secret, privileged or as confidential commercial or financial information.

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 design drawings of the NUHOMS® Cask, which is owned and has 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 description of the design and analysis of a dry spent fuel storage and transportation system, 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 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.



William D. Gallo
Senior Vice President, Transnuclear, Inc.

Subscribed and sworn to me before this 3rd day of June, 2004, by William D. Gallo.

Bonnie M. Hargis
Notary Public

