



February 1, 2008
E-25979

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville, MD 20852

Subject: NUH-003, Updated Final Safety Analysis Report (UFSAR) for the Standardized NUHOMS® Horizontal Modular Storage System For Irradiated Nuclear Fuel, Revision 10.

References: 1. Updated Final Safety Analysis Report (UFSAR) for the Standardized NUHOMS® Horizontal Modular Storage System For Irradiated Nuclear Fuel, Revision 9, February 3, 2006.

Gentlemen:

Pursuant to 10 CFR 72.248, Transnuclear, Inc., (TN) has updated Reference 1 and herewith submits the subject UFSAR Revision 10 for docketing. This update to the UFSAR incorporates changes to the NUHOMS® system authorized by Amendment No. 9 to CoC 1004 and also incorporates changes implemented by TN under the 72.48 rule following the docketing of Reference 1, including 72.48 changes implemented through the date of this letter. To maintain clarity, Amendment 9 changes are identified with a double revision bar on the right side of the page, while the 10 CFR 72.48 changes are shown with a single revision bar.

I certify that this submittal accurately presents changes made since the submittal of Reference 1.

This submittal includes proprietary information which may not be used for any purpose other than to support NRC staff review of the application. In accordance with 10 CFR 2.390, I am providing an affidavit (Enclosure 1) specifically requesting that you withhold this proprietary information from public disclosure. This submittal also includes security-related information. Accordingly, two versions of replacement pages, Proprietary and Public, are provided, as Enclosures 2 and 3, respectively.

Should you have any questions regarding this submittal, please do not hesitate to contact Mr. Don Shaw at 410-910-6878 or me at 410-910-6930.

Sincerely,

Robert Grubb
Senior Vice President - Engineering

cc: Jennifer Davis (NRC SFST) (5 paper copies of Enclosure 2, provided in a separate mailing)

Enclosures:

1. Affidavit pursuant to 10 CFR 2.390
2. Replacement Pages for the Standardized NUHOMS® UFSAR Revision 10 (Proprietary Version)
3. Replacement Pages for the Standardized NUHOMS® UFSAR Revision 10 (Public Version)

AFFIDAVIT PURSUANT
TO 10 CFR 2.390

Transnuclear, Inc.)
State of Maryland) SS.
County of Howard)

I, Robert Grubb, 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 Enclosure 2 and as listed below:

1. Drawing NUH-03-6016-SAR, Revision 9
2. Drawing NUH-03-7001-SAR, Revision 3
3. Drawing NUH-03-7002-SAR, Revision 0
4. Drawing NUH-03-8000-SAR, Revision 4
5. Drawing NUH-03-8001-SAR, Revision 8
6. Drawing NUH-03-8002-SAR, Revision 8
7. Drawing NUH-03-8003-SAR, Revision 8
8. Drawing NUH-03-8008-SAR, Revision 0
9. Drawing NUH-03-8009-SAR, Revision 0
10. Drawing NUH-03-8010-SAR, Revision 0
11. Drawing NUH-32PT-1001-SAR, Revision 4
12. Drawing NUH-61B-1060-SAR, Revision 4
13. Drawing NUH-61B-1062-SAR, Revision 5

These documents 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 various design drawings associated with the Standardized NUHOMS® System, 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) 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 descriptions of the design and analysis of dry spent fuel storage and transportation systems, 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.
 - 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.


Robert Grubb
Senior Vice President, Transnuclear, Inc.

Subscribed and sworn to me before this 29th day of January, 2008.


Notary Public

My Commission Expires 10 / 14 / 2008

