



E-7256
August 29, 1985

Mr. Leland C. Rouse, Chief
Advanced Fuel and Spent Fuel Licensing Branch
Division of Fuel Cycle and Material Safety
Office of Nuclear Materials Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE

Reference: Topical Report for the TN-24 Dry Storage Cask
E-7107, August 30, 1985

Dear Mr. Rouse:

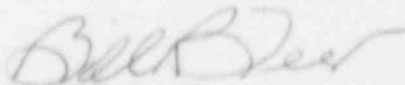
The reference Topical Report contains information which is commercially important to Transnuclear and which is customarily held in our confidence. The enclosed affidavit sets forth the basis on which the information may be withheld from public disclosure by the Commission. The considerations listed in paragraph (b)(4) of 10CFR 2.790 are specifically addressed in the affidavit.

This application for withholding is submitted by Transnuclear, Inc. pursuant to the provisions of paragraph (b)(1) of 10CFR 2.790. It is respectfully requested that the subject information, which is proprietary to Transnuclear, Inc., be withheld from public disclosure in accordance with 10CFR 2.790.

Please contact me if there are any questions relative to this application for withholding or the accompanying affidavit.

Very truly yours,

8509260115 850830
PDR PROJ
M-42 PDR


Bill R. Teer
Vice President

Enclosures

AFFIDAVIT

STATE OF NEW YORK

SS

COUNTY OF WESTCHESTER:

Before me, the undersigned authority, personally appeared
Bill R. Teer who, being by me duly sworn according to
law, deposes and says that he is authorized to execute this
Affidavit on behalf of Transnuclear, Inc. and that the averments
of fact set forth in this Affidavit are true and correct to the
best of his knowledge, information, and belief:

Bill R. Teer

Sworn to and subscribed
before me this 30 day
of August 1985.

Antoinette Bruno
Notary Public

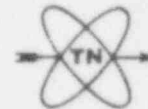
ANTOINETTE BRUNO
NOTARY PUBLIC, State of New York
No. 60-6497250
In and for Westchester County
Subscribed and sworn to on March 30, 1986

- (1) I am Vice President of Transnuclear, Inc. and my responsibilities include reviewing the proprietary information sought to be withheld from public disclosure in connection with the licensing of spent fuel transport cask systems or spent fuel storage cask systems. I am authorized to apply for its withholding on behalf of Transnuclear, Inc.
- (2) I am making this Affidavit in conformance with the provisions of 10CFR Section 2.790 of the Commission's regulations and in conjunction with the Transnuclear application for withholding accompanying this Affidavit.
- (3) I have personal knowledge of the criteria and procedures utilized by Transnuclear in designating information as a trade secret, privileged or as confidential commercial or financial information.
- (4) The following information is furnished pursuant to the provisions of paragraph 10CFR 2.790 (b)(4) to determine whether the information sought to be withheld from public disclosure should be withheld.
 - (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Transnuclear.
 - (ii) The information is of a type customarily held in confidence by Transnuclear, is not customarily disclosed to the public and is transmitted to the Commission in confidence.
 - (iii) The information sought to be protected is not available in public sources to the best of our knowledge and belief and the release of such information might result in a loss of competitive advantage as follows:
 - (a) It reveals the distinguishing aspects of a cask system where prevention of its use by any of Transnuclear's competitors without license from Transnuclear constitutes a competitive economic advantage over other companies.
 - (b) It consists of supporting data, including test data, relative to a component or material, the application of which secures a competitive economic or technical advantage.

- (c) Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.
- (d) It contains patentable ideas, for which patent protection may be desirable.
- (5) The information is being transmitted to the Commission in confidence and, under the provision of 10CFR Section 2.790, it is to be received in confidence by the Commission.
- (6) The information sought to be protected is not available in public sources to the best of our knowledge and belief.
- (7) The proprietary information sought to be withheld in this submittal is that which is contained in the proprietary version of Transnuclear Drawings 9718-4, 9718-10 & 9718-11 and in Section 3.2.11.2 of the Topical Report.
- (8) This information should be held in confidence because it provides details of cask design and comprehensive material data that were developed at significant expense. This information has substantial commercial value to Transnuclear in connection with competition with other vendors for contracts.

The subject information could only be duplicated by competitors if they were to invest time and effort equivalent to that invested by Transnuclear provided they have the requisite talent and experience.

Public disclosure of this information is likely to cause substantial harm to the competitive position of Transnuclear, because it would simplify design and evaluation tasks without requiring a commensurate investment of time and effort.



E-7258

August 30, 1985

PROPRIETARY INFORMATION NOTICE

TRANSMITTED HERewith ARE PROPRIETARY AND/OR NON-PROPRIETARY VERSIONS OF DOCUMENTS FURNISHED TO THE NRC IN CONNECTION WITH REQUESTS FOR REVIEW AND APPROVAL OF A DRY STORAGE CASK.

IN ORDER TO CONFORM TO THE REQUIREMENTS OF 10CFR2.790 OF THE COMMISSION'S REGULATIONS CONCERNING THE PROTECTION OF PROPRIETARY INFORMATION SO SUBMITTED TO THE NRC, THE INFORMATION WHICH IS PROPRIETARY IS CONTAINED WITHIN BRACKETS AND HAS BEEN DELETED FROM THE NON-PROPRIETARY VERSION. THE PROPRIETARY INFORMATION HAS BEEN SUBMITTED IN A SEPARATE DOCUMENT. THE JUSTIFICATION FOR CLAIMING THE INFORMATION DESIGNATED AS PROPRIETARY IS CONTAINED IN THE AFFIDAVIT ACCOMPANYING THIS TRANSMITTAL