CORRECTION TO REPLY OF THE NUCLEAR ENERGY INSTITUTE TO THE ANSWERS TO ITS PETITION TO INTERVENE BY THE DEPARTMENT OF ENERGY, THE NRC STAFF, AND THE STATE OF NEVADA

On February 24, 2009, the Nuclear Energy Institute ("NEI") filed its Reply to the Answers to its Petition to Intervene by the Department of Energy, the NRC Staff, and the State of Nevada ("Reply"). NEI has since become aware that an attachment was inadvertently omitted from the Reply. The omitted attachment is the "Transactions" newsletter referenced in paragraph 3 of the Affidavit of Brian Gutherman in Support of NEI's Reply to DOE’s Answer to Proposed Contention NEI-NEPA-02 (Attachment 7 to the Reply). The Transactions newsletter is hereby designated as Attachment 9 to the Reply and is submitted herewith.

Respectfully submitted,

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Dated: February 26, 2009
TRANSNUCLEAR INNOVATIONS

New Spent Fuel Loading Team Helps Utilities Manage Risk

The new pool-to-pad service Transnuclear, Inc. announced in October is a comprehensive solution to help utilities manage their spent fuel efficiently and cost-effectively to minimize risk.

TN has recently formalized a long-standing relationship with TriVis, Inc. in an updated teaming agreement that combines each company’s spent fuel management portfolio to better meet customer needs. The fuel handling component of the TN team is supported by AREVA NP, Inc. which has years of experience with fuel handling and reactor operations, and a vast database on U.S. plants and operational lessons learned.

“Each team member brings a unique set of skills in the pool-to-pad business,” explains Mike Williams, TN’s Director of Marketing and Strategy. “Combining the expertise of each company into a single entity will benefit utility customers enormously.”

One of the obvious advantages to using Transnuclear’s turnkey solution is the considerable resource savings. Instead of attempting to maintain an in-house function for infrequent spent fuel loading campaigns, utilities can instead stay focused on the safe generation of electricity. Fixed-price outsourcing to the TN team will mean faster deployment and shorter loading campaigns. That, of course, results in lower costs and reduced financial and operational risk.

Genesis of a Solution

Transnuclear and TriVis refined the teaming structure during the extremely successful loading campaigns at St. Lucie and Seabrook earlier this year. The companies worked on the two projects from start to finish. At both plants, the average cycle time for six casks was 4.5 days and less than 200 mRem per loading.
TriVis President David Bland said the first time his company worked with the NUHOMS® system was in 2003 at Duane Arnold, where 10 61BTs were loaded. “Right away we recognized that the two companies complemented each other. It was a natural partnership,” recalls Bland.

The first time Transnuclear and TriVis officially teamed was at Ft. Calhoun. “That experience showed us that an even closer arrangement would be beneficial. It would improve on-site communication and implementation, which would result in more seamless integration for the customer,” he said. “That’s why we agreed to the formal, long-term arrangement.”

Today, the team is deployed at Nebraska Public Power District’s Cooper plant, where an initial loading campaign is scheduled for Spring 2009.

Scope of Turnkey Services

Under the turnkey scope, the team will develop site-specific pool-to-pad procedures, 50.59 and 72.48 screenings/evaluations, a NUHOMS® SAT-developed training program, dry run plans, readiness assessments, and 72.212 compliance reports. With respect to actual operations, the team will perform an array of functions including:

- radiation protection services
- spent fuel loading into Dry Shielded Canisters (DSCs)
- inspection, confirmation, documentation of correct fuel loading
- DSC shield plug and lid placement
- turnkey welding, including equipment; ASME Section IX qualified welders; filler material; QA/QC and NDE services; and helium leak testing of the closure weld as specified in the certificate
- vacuum drying
- helium backfill
- transport to the ISFSI
- transfer to the HSM

Once the physical loading is completed, the team will provide decontamination services and completed documentation packages, and prepare and store ancillary equipment for the next campaign.
Customers Focus on Fabrication at Annual TN Users Group Meeting

Almost 100 utility customers attended the annual Users Group meeting, held August 19-20 at Transnuclear, Inc.’s headquarters in Columbia, Maryland.

In addition to the status of dry cask storage programs at the various reactor sites, customers and TN personnel heard presentations on a range of timely topics such as standard project documentation and on-site casting of Horizontal Storage Modules (HSMs). A major theme of the two-day event was fabrication quality and cost. Copies of the agenda, presentations and other background materials are available on Transnuclear’s extranet site. A user name and password is required for access.

Advantages of Standard Documentation

Project Engineer Stuart Horowitz described the status of the company’s plan to reduce the use of project-specific documents, and instead use generic documents created by both Transnuclear and its fabricators. The goal of the initiative is to enable better control over license and design conformance, reduce unnecessary differences between projects, and minimize the potential for document reviews to become schedule bottlenecks.

There are several advantages to using standard documentation, Horowitz explained. “It saves a significant amount of review time, by both TN and the customer, on documents that have already had multiple reviews.”

An added bonus is the significant reduction in what Horowitz called redundant paper work. “Instead, project engineers will have more time to focus on improvements in drawings and specifications, oversight and vendor development, and other activities that add greater value.”

Under the standardization project, each NUHOMS® Dry Shielded Canister (DSC) model would have a standard generic set of fabricator documents. The package would include drawings, NDE and inspection procedures, manufacturing processes, purchase order specifications, shop documentation, and inspection reports.

TN has already prepared standard procurement drawings and specifications for some DSC models, and the development of standardized documentation for other canisters is underway. Special customer needs can be accommodated by supplementing a standard set of drawings or specifications with additional notes or appendices, which detail custom features or requirements.

Horowitz said fabrication sequence diagrams, check sheets and travelers will also be standardized documents. But they will contain project-specific witness and hold points, and be submitted to TN and customers for approval as required.

Final Documentation Packages (FDPs) will use a standard format, index and section numbers, and will con-
tain documents required by TN and customers. Each FDP will be traceable to a specific project and DSC serial number.

On-Site Casting of HSMs

Project Engineer Ian Mclnnes emphasized to customers that Transnuclear’s experience with long-time supplier Bayshore has been very positive. That company has produced over 400 modules and understands Transnuclear’s QA requirements. Using Bayshore means there are minimal start-up costs for any specific order.

But the volatility of oil prices and rising transportation costs prompted Transnuclear to investigate alternative solutions and consider on-site casting of HSMs. Mclnnes said TN has reviewed approaches from two national contractors and a pre-cast manufacturer with multiple yards close to plant sites. The advantage to using these companies is that uncertainties related to transportation costs and schedule would be minimized. Transnuclear would be able to offer complete turn-key operations including module installation.

Still, breaking in a new fabricator will involve significant start-up costs for Transnuclear. “There is a big learning curve to reach Bayshore’s competence level and understanding of nuclear requirements,” cautioned Mclnnes. He noted other cost factors that need to be considered before opting for on-site casting. One is labor, while a second is the amount of time it would take to meet plant security requirements. A third relates to TN’s oversight to ensure delivery of a consistent quality product.

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Transnuclear Mourns Loss Of Two Employees

Sadly, two Transnuclear, Inc. employees passed away earlier this year.

Dan Kurtz, 62, died October 14 of complications due to cancer. Several TN employees attended the October 20 memorial service in Lynchburg, Virginia, his home town. Dan was a Quality Assurance Manager, who started with Transnuclear’s old Pac-Tec subsidiary in the Tacoma, Washington, office in 2003. He had over 25 years of cross-cutting technical and management experience in the nuclear industry, with a specialization in QA. Dan was always willing to help anyone with a need. He was a soft spoken, caring man who always had a kind word.

Olie Nakhjavan, 53, died unexpectedly from a heart attack in August. He joined Transnuclear in 2006 from Koch Industries, where he served as a project engineer for refining and chemicals. He previously worked for several fabricators of pressure vessels and heavy welded structures.

Olie was a gregarious and high-energy member of the Project Engineering team and was sought after for his welding expertise. He was well regarded and regularly received positive comments about his professional excellence from both clients and colleagues. In honor of Olie and with the blessing of his family, Transnuclear has memorialized his collection of books to serve as a lasting reminder of his dedication, effort and knowledge. Later this month his family will hold a service in Michigan, his home state.

“Both Dan and Olie reflected the best of our company,” said Bob Grubb, Senior Vice President of Engineering. “We will miss them immensely.”
Transportation Services Revved Up with DOE Shipment, New Personnel

Transnuclear, Inc. recently completed a shipment of spent fuel to the U.S. Department of Energy’s Savannah River Site.

Under the department’s Global Threat Reduction Initiative, Transnuclear transported one TN-MTR cask loaded with 31 MTR fuel elements from the research reactor at Portugal’s Instituto Tecnologico e Nuclear at Sacavém near Lisbon. The Portuguese spent fuel contained U.S.-origin highly enriched uranium. Transnuclear International provided logistics and in-country support.

“The shipment represents a significant milestone in Transnuclear’s efforts to provide comprehensive transportation services to commercial and government clients alike,” said Catherine Anne, Director of Transportation Logistics. “It shows that the U.S. government is confident in our ability to support nonproliferation programs.”

Preparing for More Shipments in U.S.

Closer to home, Transnuclear is in the midst of a transportation risk management initiative. Under the program, TN is applying risk analysis algorithms to all AREVA transports of radioactive material in North America and evaluating the suppliers used to conduct those shipments.

“Considering the extent of parent company AREVA’s current and planned facilities, this is not a small undertaking,” said Mike Valenzano, Transportation Logistics Manager.

AREVA operates fuel fabrication plants in Richland, Washington, and Lynchburg, Virginia. It is mining uranium in Canada and constructing a DUF6 conversion plant for the Department of Energy. The company plans to build a new enrichment facility in Idaho and a reactor component manufacturing plant in Virginia. In the future, spent fuel will be shipped from utility and federal government sites to the proposed repository at Yucca Mountain.

At the end of the evaluation, AREVA will develop programs to strengthen its domestic infrastructure to support the increase in its transportation business. “What levels of ‘extra-regulatory’ emergency management and response do we want in the U.S.?” said Valenzano. “Is the kind of 24-7 call center operation managed by TN International in Europe appropriate? Do we need a staff of experts available for dispatch to the site of any transport incidents?”

Valenzano, who joined Transnuclear earlier this year, is the right person to lead the assessment. Over his 10 year career in the nuclear industry, he has supported many commercial and government transportation projects, including DOE’s nuclear waste and research reactor spent fuel programs.

In addition to managing the risk assessment initiative, Valenzano coordinates transport operations and provides management and technical support for a range of Transnuclear shipping projects.

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Community Spotlight

Trekkers Raise Money for Breast Cancer Research

A group of Transnuclear, Inc. employees walked four miles in October and raised almost $3,000 for breast cancer research.

The Transnuclear Trekkers, organized by Diana Grubb, the company’s community involvement chairperson, participated in the American Cancer Society’s Making Strides Against Breast Cancer Walk on October 26 in Baltimore.

“Because nearly everyone has been touched by breast cancer in some way, hope for a world without the disease starts with us,” said Grubb. “While there is more hope than ever for people facing cancer, there is still so much that needs to be done. That’s why Transnuclear wanted to be a part of this walk.”

Twenty-one employees walked, including Christopher Guerra, who at six was the youngest Trekker! Of the money raised, Transnuclear donated $1,000 in matching funds.

A Soldier Says Thanks

An Army infantryman who received some of the books Transnuclear employees donated for the Books for Soldiers drive has sent his thanks.

“Hello…just wanted to say thank you for the books,” the soldier wrote in an email to book drive organizer Karen Dawn Tooren. “We appreciate the support and the books you send to all of us here in Afghanistan. We’ve been here for almost 2 1/2 months; it has not been too easy so far but we’re managing. Without the support of America, we would be lost. Thanks again and keep the books coming.”

Donation to Rebuild Iowa Town

AREVA, Inc. recently donated $5,000 to a fund to rebuild Palo, Iowa, a city that was nearly destroyed in June when the Cedar River flooded. The Duane Arnold Energy Center, owned by Florida Power & Light, is located two miles from Palo, home to 25 families with relatives that work at the plant.

In a letter to Rich Anderson, the fund’s chairman, President Jacques Besnainou expressed sympathy and support for Palo. “On behalf of AREVA in the U.S., I am proud to donate the enclosed check to the fund to help Palo’s citizens rebuild their houses, schools, and businesses. I wish you and your fellow citizens a speedy recovery from the terrible disaster that hit your community.”
Licensing, Loading And Cask Totals

• Transnuclear, Inc. submitted responses to a request for additional information (RAI) on the TN-40 transport application. The U.S. Nuclear Regulatory Commission is expected to approve the package in early 2009.

• Work is underway on the necessary analyses to support Xcel Energy’s plan to license the TN-40HT cask for transport. Xcel filed an amendment to its site-specific Prairie Island ISFSI license (72-10) to add the new high burnup cask for storage. The 10 CFR Part 71 application will be filed in 2009, with approval expected in 2010.

• The company responded on May 23 to a second RAI on Amendment 10 to the NUHOMS® certificate of compliance (CoC 1004). TN has also submitted additional information based on discussion with NRC in support of this amendment. NRC is expected to release a preliminary Safety Evaluation Report/CoC by the middle of November. The amendment will add two new Dry Shielded Canisters (DSCs), the 61BTH and 32PTH1, to the certificate.

Once the rulemaking package for Amendment 10 is completed, NRC staff will then have adequate resources to resume work on Amendment 11. A revised licensing schedule is expected in November. Amendment 11 converts the NUHOMS® Technical Specifications to the format specified in NUREG-1745, and modify certain aspects associated with the OS-197L lightweight transfer cask.

• Transnuclear is expecting an RAI for Amendment 1 to the NUHOMS® HD certificate (CoC 1030) any day now. The amendment will add the CE-14 fuel assembly.

• The company responded to an RAI on a revision to the TN-RAM transport CoC on September 30 and is currently waiting for the approval from NRC for this revision. The amendment will update the RAM certificate to comply with current Part 71 regulations.

• Transnuclear is currently working to revise the MP197 transportation certificate (CoC 9302) to add two new modified packages, the MP197HB and the MP197TAD.

The MP197HB will transport the company’s new higher capacity PWR and BWR canisters, two new failed fuel DSCs, and existing Part 72 licensed, transportable DSCs.

The MP197TAD will be used by the Department of Energy to ship loaded Transnuclear-designed TAD canisters to the proposed repository at Yucca Mountain.

• Finally, TN is working on a license amendment to the NUHOMS® storage certificate (CoC 1004) to add the TN-designed TAD canister.

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### Loaded Cask Totals

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**TOTAL** 518
CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing “Correction to Reply of the Nuclear Energy Institute to the Answers to Its Petition to Intervene by the Department of Energy, the NRC Staff, and the State of Nevada” have been served upon the following persons on this 26th day of February, 2009 by Electronic Information Exchange.

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