



August 29, 2008  
E-26975

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

**Subject:** Transnuclear, Inc. Updated Near Term and Long Term Licensing Plan

**Reference:** Letter from Donis Shaw (Transnuclear Inc.) to NRC Document Control Desk,  
"Transnuclear, Inc. Updated Near Term and Long Term Licensing Plan," E-25352,  
August 27, 2007

Consistent with the guidance in RIS 2005-27, Transnuclear Inc. (TN) submitted the referenced letter to NRC which communicated our near term and long term licensing plans in 2007. This letter submits to NRC the updated near term licensing plans (Table 1) and long term licensing plans (Table 2). Currently TN has the following items under NRC review:

- An application for Amendment 10 to NUHOMS<sup>®</sup> CoC 1004 was submitted to NRC for review and approval in January 2007 and supplemented in February, March, July, and November 2007, then January, May, June, and July 2008.
- An application for Amendment 11 to NUHOMS<sup>®</sup> CoC 1004 was submitted to NRC for review and approval in April 2007 and supplemented in August and December 2007, then June 2008.
- An application for Amendment 1 to NUHOMS<sup>®</sup> HD CoC 1030 was submitted to NRC for review and approval in November 2007.
- TN submitted a transportation package application for the TN-40 Cask to NRC for review and approval in August 2006 and supplemented in June 2007. Responses to an NRC request for additional information regarding that application will be submitted later this month.
- TN submitted a request for revision to transportation package TN-RAM, CoC 9233 in October 2007. Responses to an NRC request for additional information regarding that application will be submitted in September 2008.
- TN has submitted an application for certificate renewal to NRC for transportation package TNF-XI, CoC 9301 in August 2008.

The future licensing plans contained in Tables 1 and 2 are proprietary in nature and in accordance with 10 CFR 2.390(b), an affidavit is provided specifically requesting that you withhold this information from public disclosure.

We look forward to further discussion of our licensing plans with the NRC. Please contact me at 410-910-6878 or Dr. Jayant Bondre at 410-910-6881 if you have any questions or require further clarification.

Sincerely,



Donis Shaw  
Licensing Manager

Attachments:

1. Updated TN Near Term and Long Term Licensing Plans (Proprietary)
2. Affidavit Pursuant to 10 CFR 2.390

cc: Mr. Eric Benner (NRC SFST)

**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. (TN), 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 Attachment 1 of this submittal and as listed below:

1. TN's near term licensing plans and long term licensing plans, Tables 1 and 2 respectively (Proprietary).

This section of the document has been appropriately designated as proprietary.

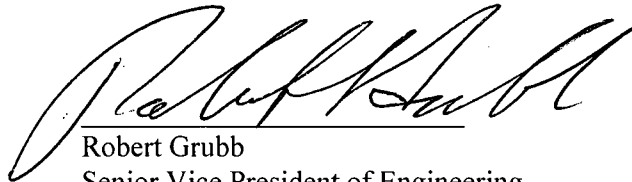
I have personal knowledge of the criteria and procedures utilized by Transnuclear, Inc. in designating information as a trade secret, privileged or as confidential commercial or financial information.

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 is a list of TN's identified future licensing action plans, which involve considerable research and development of intellectual property 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:

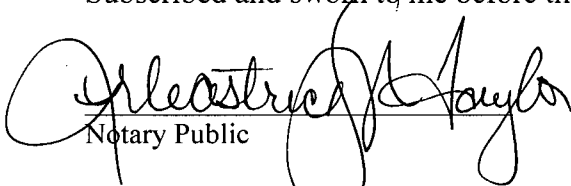
- a) A similar product is manufactured and sold by competitors of Transnuclear, Inc.
- b) Development of this information by Transnuclear, Inc. required expenditure of considerable resources. To the best of my knowledge and belief, a competitor would have to undergo similar expense in generating equivalent 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 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.
- e) 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 of Engineering  
Transnuclear, Inc.

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



My Commission Expires 10 / 14 / 2008

