

November 15, 2004

Dr. Georgia Ranger
Radiation Safety Officer
Smiths Detection
1730 Aimco Blvd.
Mississauga, ON L4W 1V1
Canada

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE,
SMITHS DETECTION ION MOBILITY SPECTROMETER DEVICES

Dear Dr. Ranger,

Smiths Detection submitted a safety evaluation application for the Sabre 4000 and IONSCAN 500DT ion mobility spectrometer devices, dated May 14, 2004, and an affidavit dated August 12, 2004. Smiths Detection requested that ten engineering drawings, Drawing Nos. 1811401, 2810640, 2811674, 4811442, 4815553, 4816100, 4816105, 4816800, 7040565, and 7040566, four bill of materials - assembly Nos. 4811442, 4815553, 4816100, and 4816105, and the Sabre 4000 Operators Manual be withheld from public disclosure pursuant to 10 CFR 2.390.

Smiths Detection stated that the drawings contain trade secrets or privileged or confidential commercial or financial information, and such information:

- has been held in confidence by the Corporation.
- is of the type that is customarily and rationally held in confidence by the Corporation.
- was transmitted to and, to the knowledge of Smiths Detection, received by the Commission in confidence.
- is not available in public sources.
- is of the type and nature that, if disclosed publicly, is likely to cause substantial harm to the competitive position of the Corporation.

We have reviewed Smiths Detection application and Engineering Drawing Nos. , 2810640, 2811674, 4811442, 4815553, 4816100, 4816105, and 4816800, bill of materials, and operators manual in accordance with the requirements of 10 CFR 2.390 and, on the basis of Smiths Detection statements, have determined that drawing numbers, bill of materials, and the operators manual sought to be withheld contain proprietary commercial information, therefore, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended. However, Drawing Nos. 1811401 and 7040565 contain information already previously made publicly available under the sealed source registration certificate number NR-0163-D-101-G, therefore, will not be withheld from public disclosure. Drawing No. 7040566 displays the label warning of a radiation hazard and will not be withheld from public disclosure.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,

/RA/

Tomas Herrera
 Materials Safety and Inspection Branch
 Division of Industrial and
 Medical Nuclear Safety
 Office of Nuclear Material Safety
 and Safeguards

Distribution:

NMSS13 SSD-04-44 PGoldberg

ADAMS Accession Number: ML043210187

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	MSIB		MSIB						
NAME	THerrera		JJankovich						
DATE	11/5/2004		11/12/2004						

OFFICIAL RECORD COPY