

August 18, 2005

Mr. John J. Miller,
International Isotopes, Inc.
4137 Commerce Circle
Idaho Falls, ID 83401

SUBJECT: NRC APPROVAL OF INTERNATIONAL ISOTOPES' REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR THE
GeF4 MAIN PRODUCTION SKID (TAC NO. LU0086)

Dear Mr. Miller:

By letter dated August 11, 2005, containing affidavits dated the same as the letters, and executed by Steve Laflin, President/CEO, International Isotopes (I³), you requested that the U.S. Nuclear Regulatory Commission (NRC) withhold from public disclosure, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390, information contained in the following documents:

Preliminary Process Hazard Analysis GeF4 Main Production Skid

The affidavits stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The information sought to be withheld from public disclosure is owned, and has been held in confidence by I³.
2. The information is of a type customarily held in confidence by I³, and not customarily disclosed to the public.
3. The information is being transmitted to NRC in confidence and, under the provisions of 10 CFR 2.390, is to be received in confidence by NRC.
4. The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of I³'s knowledge and belief.
5. Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of I³ because it may enhance the ability of competitors to position and provide similar products.

We have reviewed your application, and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information, and should be withheld from public disclosure.

Therefore, the documents listed above marked as proprietary, 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. Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents.

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 NRC. You also should understand that 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 NRC makes a determination adverse to the above, you will be notified of the date of public disclosure, in advance which will be a reasonable time thereafter.

If you have any questions regarding this matter, I may be reached at 301-415-8113.

Sincerely,

/RA/

Michael Raddatz, Sr. Project Manager
Uranium Processing Section
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No. 40-9058

J. Miller

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