

December 16, 2005

Mr. Calvin R. Hastings
President and CEO
Caldon, Inc.
1070 Banksville Avenue
Pittsburgh, PA 15216

SUBJECT: CALDON, INC., REQUEST FOR WITHHOLDING INFORMATION FROM
PUBLIC DISCLOSURE DURING NRC MEETING TO DISCUSS SEABROOK
MEASUREMENT UNCERTAINTY RECAPTURE LICENSE AMENDMENT
REQUEST (TAC NO. MC8434)

Dear Mr. Hastings:

By letter dated December 12, 2005, you submitted an affidavit executed on the same date, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

Caldon Proprietary Information Package for Seabrook/NRC Meeting
December 16, 2005, INFO-18

The December 12, 2005, letter identified the information contained in the named package as supportive to the Caldon, Inc. (Caldon) presentation during an NRC meeting scheduled for December 16, 2005.

A nonproprietary copy of this document was not provided, however, its main presentation is not considered by Caldon to be proprietary and will be available in NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room following issuance of the meeting summary.

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

- (1) This information is of the type typically held in confidence by Caldon, and is in fact so held.
- (2) The information is being transmitted to the NRC in confidence.
- (3) The information has not been publically disclosed, nor is it available in public sources.
- (4) Public disclosure of the information would be likely to cause substantial harm to the competitive position of Caldon because it would enhance the ability of competitors to provide similar flow and temperature measurement systems and licensing defense services for commercial power reactors without commensurate expenses.

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 document 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 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 should also 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.

If you have any questions regarding this matter, I may be reached at 301-415-2481.

Sincerely,

/RA/

G. Edward Miller, Project Manager
Licensing Project Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-443

cc: See next page

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