

September 27, 2006

Ms. Nancy B. Parr
Licensing Project Manager
Westinghouse Electric Company , LLC
Commercial Nuclear Fuel Division
Drawer R
Columbia, SC 29250

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION RESPONSE PUBLIC
DISCLOSURE DETERMINATION (TAC L31911)

Dear Ms. Parr:

This is in response to your affidavit signed by Mark Fecteau, dated September 8, 2006, requesting that portions of the responses to a Request for Additional Information (RAI) (ML062080326) related to renewal of Materials License SNM-1107, submitted by your letter, also dated September 8, 2006, be withheld from public disclosure pursuant to 10 CFR 2.390.

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

1. The information contained in the subject documents is confidential commercial information under 10 CFR 2.390(a)(4).
2. The information provided is routinely withheld from public disclosure, was submitted to the Commission in confidence, and is not available in public sources.
3. The public disclosure of the information contained in the documents would harm the competitive position of Westinghouse since the documents contain substantial sensitive information related to the company's nuclear criticality safety program.

We have reviewed your affidavit 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.

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(a)(4) and Section 103(b) of the Atomic Energy Act of 1954, as amended. The redacted version of the information, enclosed with your affidavit, will be made publicly available.

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 the U.S. Nuclear Regulatory Commission (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.

If you have any questions regarding this matter, please contact Mary Adams of my staff at (301) 415-7249, or by e-mail, to mta@nrc.gov. Please reference the above TAC number in future correspondence related to this license renewal application review.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter; your September 8, 2006, letter; the September 8, 2006, affidavit signed by Mark Fecteau; and the redacted versions of the information will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Gary S. Janosko, Chief
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-1151
License No.: SNM-1107

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Sincerely,

/RA/

Gary S. Janosko, Chief
 Fuel Cycle Facilities Branch
 Division of Fuel Cycle Safety
 and Safeguards
 Office of Nuclear Material Safety
 and Safeguards

Docket No.: 70-1151
 License No.: SNM-1107

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