

May 16, 2008

MEMORANDUM TO: Export Controls and International Organizations Branch

FROM: Margaret M. Doane, Director */RA/*
Office of International Programs

SUBJECT: WAIVER OF AFFIDAVIT REQUIREMENT FOR THOSE WHO
SEEK TO HAVE DOLLAR VALUE OF PROPOSED NUCLEAR
EQUIPMENT EXPORTS WITHHELD FROM PUBLIC
DISCLOSURE

The purpose of this memorandum is to provide guidance to Nuclear Regulatory Commission (NRC) staff and to waive the affidavit requirements for applicants who seek to have the dollar value of proposed nuclear equipment exports withheld from public disclosure.

In accordance with 10 CFR §110.73 (b), it is reasonable for export/import licensing staff to accept that the dollar value of proposed nuclear equipment exports is proprietary information and to protect it from public disclosure as trade secrets and commercial or financial information obtained from a person and privileged or confidential. If anyone submitting an NRC Form 7 application for nuclear equipment seeks to have the dollar value withheld from public disclosure, they need to mark the documents in accordance with the procedures in 10 CFR §2.390 (b)(1)(i).

I hereby deem it appropriate to waive the affidavit requirement in 10 CFR §2.390 (b)(1)(ii) for applicants who appropriately mark the NRC Form 7 application documents to have the dollar value of nuclear equipment withheld from public disclosure. To the extent applicants seek to have any other information withheld from public disclosure, they shall adhere to the applicable requirements in 10 CFR §2.390 (b), (c) and (d).

Please address this waiver in the Office of International Programs procedures for export/import licensing.

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ADAMS Accession No. ML081430093

TEMPLATE NO. OIP-004

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DATE	5/1/08	5/6/08	5/13/08	5/16/08

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