

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

April 21, 2010

SUBJECT: Information Pertaining to Coquí Radiopharmaceuticals Corp.'s Proposed
Medical Isotope Production Facility

During our recent discussions with the U.S. Nuclear Regulatory Commission (NRC), Mary Jane Ross-Lee, Chief, Research and Test Reactors Projects Branch, Office of Nuclear Reactor Regulation, requested Coquí Radiopharmaceuticals Corp. (Coquí) to transmit environmental information discussed with the agency during a drop-in visit in November 2009. As requested, the information is attached hereto as Enclosure (2).

Because Coquí considers the information to be proprietary, Coquí requests that Enclosure (2) be withheld in its entirety from public disclosure, pursuant to 10 CFR 9.17(a)(4) and 10 CFR 2.390. We have provided the necessary affidavit to support our request in Enclosure (1).

If you have questions or need additional information, please contact me at 787.993.2800 or by email at cbigles@adioscancer.com

Sincerely,



Carmen I. Bigles
President and Chief Executive Officer
Coquí Radiopharmaceuticals Corp.

- Enclosure: (1) 10 CFR 2.390 Affidavit of Carmen I. Bigles, President and Chief Executive Officer, Coquí Radiopharmaceuticals Corp.
- (2) Coquí Radiopharmaceuticals Corp's Information from November 2009 Drop-in Visit with the NRC (**Proprietary**)

Cc: Mary Jane Ross-Lee, NRC
Ossy Font, NRC
Daniel F. Stenger, Hogan & Hartson LLP
Alejandro J. Valderrábano-Wagner, Fiddler Gonzalez & Rodriguez, P.S.C.

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ENCLOSURE (1)

**Affidavit of Carmen I. Bigles
President and Chief Executive Officer,
Coquí Radiopharmaceuticals Corp.**

**COQUÍ RADIOPHARMACEUTICALS CORP.
10 CFR 2.390 AFFIDAVIT OF CARMEN I. BIGLES**

AFFIDAVIT

I, Carmen I. Bigles, hereby affirm and state as follows:

- (1) I am the President and Chief Executive Officer of Coquí Radiopharmaceuticals Corp. (Coquí), and I have been authorized to execute this affidavit on behalf of Coquí.
- (2) The information contained in Enclosure (2) is proprietary commercial information related to the proposed Medical Isotope Production Facility (MIPF) and Coquí's business. The proprietary information includes sensitive preliminary business information created by or for Coquí. This information should be held in confidence by the NRC and withheld from public disclosure.
- (3) In making this application for withholding of proprietary information of which it is the owner, Coquí believes that the information qualifies for withholding under the exemption from disclosure set forth in the Freedom of Information Act ("FOIA"), 5 U.S.C. Section 552(b)(4), the Trade Secrets Act, 18 U.S.C. Section 1905, and NRC regulations 10 CFR 9.17(a)(4) and 2.390(a)(4) for trade secrets and commercial information because:
 - i. This information is and has been held in confidence by Coquí.
 - ii. This information is of a type that is customarily held in confidence by Coquí, and there is a rational basis for doing so because the information includes sensitive business information pertaining to Coquí's proposed MIPF.
 - iii. The information is being transmitted to the NRC voluntarily and in confidence.
 - iv. This information is not available in public sources and could not be gathered readily from other publicly available information.
 - v. Public disclosure of this information would create substantial harm to the competitive position of Coquí by disclosing certain preliminary business decisions Coquí has made or is considering and the data that went behind those decisions. Development and evaluation of this preliminary commercial information was achieved at, and disclosure could lead to additional, significant cost to Coquí.
 - vi. Public disclosure of the information sought to be withheld is likely to cause substantial harm to Coquí's competitive position and foreclose or reduce the availability of profit-making opportunities. The value of the information goes beyond the disclosure of actual information pertaining to Coquí's potential business, and includes substantial time and work towards developing and marketing the MIPF project, and represents significant efforts by Coquí and its associates. The research, development, engineering, and analytical costs comprise a substantial investment of time and money by Coquí. The precise value of the expertise to develop relationships with partners, vendors, and customers is difficult to quantify, but clearly is substantial.

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vii. Coquí's competitive advantage will be lost if its competitors are able to use the results of the Coquí's activities to aid their own commercial activities. The value of this information to Coquí would be lost if the information were disclosed to the public. Making such information available to other entities without their having been required to undertake a similar expenditure of resources would unfairly provide competitors with a windfall, and deprive Coquí of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment.

C. Bigles
Carmen I. Bigles

Subscribed and sworn before me, a Notary Public, in and for the Commonwealth of Puerto Rico, this 22 day of April 2010.

WITNESS my hand and Notarial Seal.

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[Signature]
Notary Public

My Commission Expires:
Perpetual

April 22, 2010
Date

