

September 16, 2011

Mr. Daniel Glenn
MIPS Program Manager
B&W Technical Services Group, Inc.
800 Main Street, 4th Floor
Lynchburg, VA 24504

SUBJECT: B&W TECHNICAL SERVICES GROUP, INC.: APPROVAL OF REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE RE: RESPONSE TO REGULATORY ISSUE SUMMARY 2011-06, PRE-APPLICATION COMMUNICATION AND VOLUNTARY SUBMITTAL OF SCHEDULE FOR FUTURE MOLYBDENUM-99 FACILITY LICENSING ACTIONS FOR NRC REVIEW (TAC NO. ME5754)

Dear Mr. Glenn:

By letter dated July 26, 2011, B&W Technical Services, Inc. submitted information in response to Nuclear Regulatory Commission (NRC) Regulatory Issue Summary (RIS) 2011-06, Pre-application Communication and Voluntary Submittal of Schedule for Future Molybdenum-99 Facility Licensing Actions for NRC Review. The submittal contained information that B&W Technical Services, Inc. requested be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390

The letter included an affidavit executed by you on July 26, 2011. The affidavit requested that proprietary information contained in the following document be withheld from public disclosure pursuant to 10 CFR 2.390:

B&W Medical Isotopes Production System Response to RIS 2011-06

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

Public disclosure of the activities and schedules associated with the licensing and ultimate entry of B&W product into the ⁹⁹Mo market could compromise B&W's competitive position.

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

Therefore, the B&W Medical Isotopes Production System Response to RIS 2011-06 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.

D. Glenn

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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 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, I may be reached at 301-415-2757.

Sincerely,

/RA/

Patricia Silva, Chief
Research and Test Reactors Projects Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Project No. PROJ0766

D. Glenn

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/RA/

Patricia Silva, Chief
Research and Test Reactors Projects Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Project No. PROJ0766

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