

September 2, 2011

Mr. W. H. Brown  
BU650B Project Manager  
J.L. Shepherd & Associates  
1010 Arroyo St.  
San Fernando, CA 91340

SUBJECT: NRC APPROVAL OF J.L. SHEPHERD & ASSOCIATES' REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR MODEL NO. BU650B CLOSED MEETING

Dear Mr. Brown:

By letter dated August 22, 2011, J.L. Shepherd & Associates (JLS&A) submitted information to support a closed meeting with the Nuclear Regulatory Commission (NRC) staff. The meeting was requested in support of the new application request for the Model No. BU650B transportation package. The August 22, 2011, letter included a JLS&A affidavit, signed by Diana C. Shepherd, dated August 22, 2011 (enclosure to the letter). The JLS&A affidavit requested that certain portions of the material, which was submitted with the August 22, 2011, JLS&A letter be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations (10 CFR) Section 2.390.

The affidavit stated that the submitted information and the information to be discussed in the meeting should be considered exempt from mandatory public disclosure pursuant to 10 CFR 2.390 for the following reasons:

- Information has been specifically developed by or for JLS&A, which is not generally known to others and is of a non-public nature.
- Information has been developed by or for JLS&A by the investment of significant time, effort, and expense and such information provides significant competitive advantages in business.

We have reviewed your submittal and all the supporting information 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 is proprietary commercial and should be withheld from public disclosure.

Therefore, the presentation slides submitted with JLS&A's letter dated August 22, 2011, marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(a)(4), 10 CFR 2.390(b)(1), 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 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

W. Brown

-2-

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 of the date of public disclosure, in advance which will be a reasonable time thereafter.

If you have any questions regarding this matter, you may contact me at (301) 492-3268.

Sincerely,

**/RA/**

Jennie Rankin, Project Manager  
Licensing Branch  
Division of Spent Fuel Storage and Transportation  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 71-9363  
TAC No. L24564

W. Brown

-2-

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Sincerely,

**/RA/**

Jennie Rankin, Project Manager  
Licensing Branch  
Division of Spent Fuel Storage and Transportation  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 71-9363  
TAC No. L24564

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