



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

August 14, 2013

Mr. Brian Knollenberg
VP & General MGR, Electronics
Particle Measuring Systems Inc.
5475 Airport Blvd
Boulder, CO 80301

SUBJECT: APPROVAL OF PARTICLE MEASURING SYSTEMS INC., REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE OF
QUARTERLY GENERAL LICENSED DEVICE TRANSFER REPORTS

Dear Mr. Knollenberg:

By letter dated May 31, 2013, Particle Measuring Systems Inc. submitted an affidavit dated April 4, 2013, (ML13175A056) requesting that the information submitted to the U.S. Nuclear Regulatory Commission (NRC) in the quarterly devices transfer reports of general licensed devices be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations (10 CFR), Part 2, Section 2.390. A non-proprietary copy of documents supporting your request has been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

Particle Measuring Systems Inc. is the sole owner of the information provided in the quarterly device transfer reports and to your best knowledge, the information, as presented, is not currently available in public sources. Particle Measuring Systems Inc. customarily treats this type of information as confidential. The company has a information security classification and release policy, and under this policy, lists of active customers and information relevant to commercial transactions is considered proprietary.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the information contained in your quarterly device transfer reports, sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the information in your quarterly reports submitted to the NRC marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5).

Please note, if the basis for withholding of 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.

If you have any questions regarding this matter, I may be reached at 301-415-7894

Sincerely,

/RA/

Ujagar S. Bhachu, GLTS Project Manager
Division of Materials Safety
and State Agreements
Office of Federal and State Materials
and Environmental Management Programs
U.S. Nuclear Regulatory Commission

Therefore, the information in your quarterly reports submitted to the NRC marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5).

Please note, if the basis for withholding of 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.

If you have any questions regarding this matter, I may be reached at 301-415-7894

Sincerely,

/RA/

Ujagar S. Bhachu, GLTS Project Manager
Division of Materials Safety
and State Agreements
Office of Federal and State Materials
and Environmental Management Programs
U.S. Nuclear Regulatory Commission

OFFICE	FSME		FSME	
NAME	UBhachu		MKotzalas	
DATE	08/14/2013		08/14/2013	

OFFICIAL AGENCY RECORD