



UNITED STATES
NUCLEAR REGULATORY COMMISSION

Office of Federal and State Materials and
Environmental Management Programs
WASHINGTON, DC 20555 - 0001

August 20, 2013

James F. Miller
Radiation Safety Officer
SABIA, Inc.
10901 Technology Place
San Diego, California 92127

**SUBJECT: NRC APPROVAL OF SABIA, INC REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE**

Dear Mr. Miller:

By letter dated August 6, 2013, SABIA, Inc. submitted an affidavit dated August 2, 2013, executed by Clinton L. Lingren, you requested that the information contained in the following document be withheld from public disclosure pursuant to 10 CFR 2.390: "Device Registration for SABIA Model X1-XP Slurry Analyzer Proprietary Drawings submitted under the provision of 10 CFR 2.390."

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reason: the complete set of engineering drawings provide all the material analyzer manufacturing details that would allow unauthorized persons to build or disassemble the device.

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 submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the document entitled "Device Registration for SABIA Model X1-XP Slurry Analyzer Proprietary Drawings submitted under the provision of 10 CFR 2.390" 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. 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 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, please contact me at (301) 415-6026, or e-mail Maria.Arribas-Colon@nrc.gov.

Sincerely,

/RA/

Maria Arribas-Colon, Project Manager
Licensing Branch
Division of Materials Safety and
State Agreements
Office of Federal and State Materials and
Environmental Management Programs

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, please contact Maria Arribas-Colon of my staff at (301) 415-6026, or e-mail Maria.Arribas-Colon@nrc.gov.

Sincerely,

/RA/

Maria Arribas-Colon, Project Manager
Licensing Branch
Division of Materials Safety and
State Agreements
Office of Federal and State Materials and
Environmental Management Programs

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