

May 24, 2013

Document Control Desk  
Director,  
Office of Federal and State Material and Environmental Management Programs  
ATTN: GLTS  
United States Nuclear Regulatory Commission  
Washington, DC 20555-0001

**Subject:** 2.390 Public Inspections, Exemptions, Request for Withholding

Dear Sir,

I am the Division Director for the Leak Detection Division of Conco Services Corp. and have the responsibility of reviewing the Quarterly Reports which are sought to be withheld, and have been authorized to apply for their withholding. I am familiar with competitive practices in the market for leak detection equipment containing nuclear sealed sources licensed by the Nuclear Regulatory Commission.

The Leak Detection Division of Conco Services Corp. is required by Title 10 CFR 32.52 to submit reports of the distribution of Generally Licensed devices to the Nuclear Regulatory Commission and individual Agreement States every calendar quarter. These Quarterly Reports contain a listing of the names and addresses of each client to who authorized devices are transferred to and or from. Additional information about the device such as isotope, quantity and model number is also contained in these reports.

The Leak Detection Division of Conco Services Corp. is the sole owner of the information provided in the reports described above. The Leak Detection Division of Conco Services Corp. treats this type of information as confidential. The company has an unwritten release policy and practice wherein lists of active customer's information relevant to commercial transactions is considered proprietary. The Quarterly Reports that we send to the Nuclear Regulatory Commission are an example of information considered by Conco Services as proprietary. Such information, if made available and is used by our competitors, would provide direct information into our domestic and international marketplaces. We believe the revelation of names and addresses of companies (including Conco) possessing and or transferring Electron Capture Devices containing radioactive sources should be kept on a need to know basis and not be available to public disclosure.

Additionally, a significant part of the Leak Detection Division of Conco Services Corp. is supported by continuing repeat leak detection services provided to our customers. A number of independent entities in the USA and internationally could use the information in these device transfer reports including the customer list to enter our leak detection market.

The information we are requesting to be withheld from public disclosure is all data printed in quarterly transfer reports with the heading of :

“Quarterly Report, License Number MD-31-076-2.

In view of the above, the Leak Detection Division of Conco Services Corp. respectfully requests that the quarterly distribution reports of Generally Licensed devices be withheld from public disclosure.

If I can be of further assistance, please call me at (301) 990-6623

Sincerely,

Conco Services Corporation

Anthony LaPorte  
Division Director

## Bhachu, Ujagar

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**From:** Anthony LaPorte <ALaporte@concosystems.net>  
**Sent:** Friday, May 24, 2013 12:20 PM  
**To:** Bhachu, Ujagar  
**Subject:** RE: Request for Withholding  
**Attachments:** NRC Withholding Request May 2013.DOC  
  
**Categories:** Orange Category

Ujagar,  
Take a look at the attached. I've made it more specific to the leak detection division's work. Let me know what you think.

Tony La Porte  
Conco Services Corp.  
Division Director  
7552 Rickenbacker Drive  
Gaithersburg, MD 20879  
301-990-6623  
Fax: 301-948-6479  
[alaporte@concosystems.net](mailto:alaporte@concosystems.net)

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**From:** Bhachu, Ujagar [mailto:Ujagar.Bhachu@nrc.gov]  
**Sent:** Thursday, May 23, 2013 2:50 PM  
**To:** Anthony LaPorte  
**Cc:** Andrew H. Leavitt  
**Subject:** RE: Request for Withholding

Could you please submit an affidavit as it does not address certain elements.

Please mail your affidavit to:

Document Control Desk, Director, Office of Federal and State Materials and Environmental Management Programs, Attention GLTS, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Here is Skelton frame work. Please ensure that submitted affidavit is notarized.

I am the xxxxxxxx for xyz corporation and have been delegated the responsibility of reviewing the described reports herein, which is sought to be withheld, and have been authorized to apply for its withholding. I am familiar with competitive practices in the market for *products etc.*, containing nuclear sealed sources licensed by the Nuclear Regulatory Commission.

XYZ corporation. is required by Title 10 CFR 32.52 to submit reports of the distribution of Generally Licensed devices to the Nuclear Regulatory Commission and individual Agreement States every calendar quarter, listing the names and addresses of each client to whom authorized devices are transferred to and licensees from whom we receive them. Additional information about the device, such as isotope, quantity and model number is also required.

XYZ corporation is the sole owner of the information provided in the reports described above. To the best of my knowledge, the information, as presented, is not currently available in public sources. XYZ customarily treats this type of information as confidential. The company has an unwritten information classification and release policy and practice, and under this policy, lists of active customers and information relevant to commercial transactions is considered proprietary.

Examples of information considered by XYZ as proprietary information are customer lists and amounts of shipments. Such information, if made available and is used by our competitors, would provide direct tunnels, inroads/intrusion into our marketplaces. This would provide our competitors a head start and marked economic advantage and thus adversely impact well-being of our business.

Additionally, a significant part of XYZ is supported by continuing services. A number of independent entities in USA and abroad could use the information in these device transfer reports including the customer list to enter our market space.

The information we are requesting to be withheld from public is all data printed in transfer report pages with headings of "Transfers of devices to and from General Licensees."

In view of the above, XYZ respectfully requests that the quarterly distribution reports of Generally Licensed devices be withheld from public disclosure.

Signed: Title: Date:

**Acknowledgement:**

The forgoing affidavit was acknowledged as true and correct before me this day.....etc.

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**From:** Anthony LaPorte [mailto:ALaporte@concosystems.net]  
**Sent:** Thursday, May 23, 2013 2:43 PM  
**To:** Bhachu, Ujagar  
**Cc:** Andrew H. Leavitt  
**Subject:** FW: Request for Withholding

**Here's the email I sent to you on May 3, 2013 asking if the attached withholding letter was satisfactory. Please send a template of what you require. Thanks**

Tony La Porte  
Conco Services Corp.  
Division Director  
7552 Rickenbacker Drive  
Gaithersburg, MD 20879  
301-990-6623  
Fax: 301-948-6479  
[alaporte@concosystems.net](mailto:alaporte@concosystems.net)



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**From:** Anthony LaPorte  
**Sent:** Friday, May 03, 2013 1:52 PM  
**To:** 'ujagar.bhachu@nrc.gov'  
**Cc:** Andrew H. Leavitt; Anthony LaPorte  
**Subject:** Request for Withholding

Ujagar,

Thank you for the call this afternoon.

Please find attached copies of the actual letters mailed on April 22, 2013 to the same address we submit the quarterly reports to. Please look them over and let us know if there are any changes to be made. Thank you for your assistance.

Tony La Porte  
Conco Services Corp.  
Division Director  
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