

August 22nd, 2013

License: 20-20675-02

Subject: AFFIDAVIT to apply for withholding of proprietary information.

I, Flavio Chocala, RSO state as follows:

- 1) I am the Radiation Safety Officer of Thermo EGS Gauging, Inc., and control the information described in paragraph (2) which is sought to be withheld, and am authorized to apply for its withholding.**
- 2) The information sought to be withheld is the content of the quarterly Transfers of Industrial Devices Report prepared in accordance with 10 CFR 32.52.**
- 3) In making this application for withholding of proprietary information of which it is the owner, Thermo Fisher Scientific relies upon the exemption from disclosure set forth in the Freedom of Information Act ("FOIA") and the Trade Secrets Act, and NRC Regulations 10 CFR 9.17(a)(4), and 2.390(a)(4) for "Trade Secrets, Commercial, Proprietary/Privileged and Confidential Information."**
- 4) Some examples of information which fit into the definition of proprietary/privileged and confidential information are:**
 - a. Information that discloses our customer's names addresses and contact information that otherwise is not publically available.**
 - b. Information that would allow a competitor to learn about our unit volume, variance over performance, or sales cycles**

If the information identified in 4a and 4b above were used by competitors, it would lower their expenditure of resources or improve their competitive position in the design, manufacture, sales, shipment and licensing of similar product/products. The information sought to be withheld is considered to be proprietary for these reasons.

- 5) To address 10 CFR 2.390(b)(4), the information sought to be withheld is being submitted to NRC in confidence. The information is customarily held in confidence by Thermo Fisher Scientific and is not available to the public or disclosed to third parties.**

I declare that the foregoing affidavit and the information stated therein are true and correct to the best of my knowledge, information and belief.

Please let me know if you need additional information.

Sincerely,



Flavio Chocala
RSO / Lead Repair Technician
Thermo EGS Gauging, Inc.

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