



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

September 30, 2013

Alan Lavore
Executive Vice President
Mahlo America, Inc.
P.O. Box 2825
575 Simuel Road
Spartanburg, SC 29304-2825

SUBJECT: NRC APPROVAL OF MAHLO AMERICA, INC. REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE OF QUARTERLY GENERAL
LICENSE DEVICE TRANSFER REPORTS

Dear Mr. Lavore,

Mahlo America, Inc. submitted an affidavit dated May 28, 2013, (Agencywide Documents Access and Management System Accession No. ML13157A012), requesting that the content of quarterly reports of the distribution of Generally Licensed devices required under Title 10 of the *Code of Federal Regulations* (10 CFR), Part 32, Section 32.52, be withheld from public disclosure pursuant 10 CFR 2.390.

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

Mahlo America, Inc. is the sole owner of the information provided in the reports described above. The information in these reports is not currently available in public sources. Mahlo America, Inc. 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 are considered proprietary. Such information, if made available and is used by Mahlo America, Inc. competitors, would provide direct tunnels, inroads/intrusion into Mahlo America, Inc. marketplaces. This would provide Mahlo America, Inc. competitors a head start and marked economic advantage and thus adversely impact well-being of Mahlo America, Inc. business. Additionally, a significant part of Mahlo America, Inc. is supported by continuing services. A number of independent entities in the USA and abroad could use the information in these device transfer reports including the customer list to enter Mahlo America, Inc. market space.

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 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).

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) 415-6004, or e-mail Hector.Rodriguez-Luccioni@nrc.gov.

Sincerely,

/RA/

Hector Rodriguez-Luccioni, General Engineer
Licensing Branch
Division of Materials Safety and
State Agreements
Office of Federal and State Materials and
Environmental Management Programs

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).

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If you have any questions, please contact me at (301) 415-6004, or e-mail Hector.Rodriguez-Luccioni@nrc.gov.

Sincerely,

/RA/

Hector Rodriguez-Luccioni, General Engineer
Licensing Branch
Division of Materials Safety and
State Agreements
Office of Federal and State Materials and
Environmental Management Programs

DISTRIBUTION:

MSSA r/f

OFFICE	LB/MSSA	LB/MSSA
NAME	HRodriguez-Luccioni	MKotzalas
DATE	9/28/13	9/30/13

OFFICIAL RECORD