

November 22, 2013

Dr. Steven R. Reese, Director
Oregon State University
100 Radiation Center
Corvallis, OR 97331-5903

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR OREGON STATE UNIVERSITY TRIGA REACTOR (TAC NO. ME8443)

Dear Dr. Reese:

By letter dated September 6, 2013, you submitted an affidavit (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13256A094) dated September 6, 2013, executed by yourself on behalf of the Oregon State University, which requested that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390 (10 CFR 2.390):

Answers to Request for Additional Information request by USNRC with respect to a license amendment application for the purpose of demonstrating ⁹⁹Mo production capability in the OSTR, dated August 23, 2013.

The August 23, 2013, submission also contained a nonproprietary version of the document. The nonproprietary version of this document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS (ADAMS Accession No. ML13252A181).

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

The basis for the determination is that it falls under 10 CFR 2.390(a)(4), trade secrets and commercial or financial information obtained from a person and privileged or confidential. The information is proprietary information owned by Oregon State University. We believe that if released, the information would create substantial harm to the owners by providing competitors and other parties whose interest may be adverse to the owner with detailed technical trade secret and commercial information. Specifically, information related to the target dimensions, material composition, and mass or information that would reasonably allow knowledgeable people to deduce this information should be withheld from public disclosure. This information is considered proprietary and would significantly affect any competitive advantage that this target configuration creates.

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

S. Reese

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Therefore, the version(s) of the submitted information 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 need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

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 in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-1590.

Sincerely,

/RA/

William C. Schuster IV, Nuclear Engineer
Research and Test Reactors Licensing Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Docket No.: 50-243

cc: See next page

S. Reese

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/RA/

William C. Schuster IV, Nuclear Engineer
Research and Test Reactors Licensing Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

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*concurred via e-mail

NRR-106

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NAME	WSchuster	PBlechman (DBaxley for)	AAdams	WSchuster
DATE	11/19/2013	11/21/2013	11/22/2013	11/22/2013

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Oregon State University

Docket No. 50-243

cc:

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