

November 22, 2013

Marc Vada Hill  
Legacy Supply Chain Services  
500 Ships Landing Way  
New Castle, DE 19720

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION APPROVAL OF LEGACY SUPPLY CHAIN SERVICES REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE OF QUARTERLY GENERAL LICENSE DEVICE TRANSFER REPORTS

Dear Mr. Hill:

Legacy Supply Chain Services submitted an affidavit dated November 14, 2013, requesting that quarterly distribution reports of Generally Licensed devices be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

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

Legacy Supply Chain Services, Inc. is the sole owner of the information provided in the quarterly reports regarding the distribution of Generally Licensed devices. To the best of Legacy's knowledge, the information, as presented, is not currently available in public sources. Legacy Supply Chain Service customarily treats this type of information as confidential. The company has a formal information security classification and disclosure policy, and under this policy, lists active customers and information relevant to their measurement geometrics, is considered proprietary. Such information, if used by the competition, would provide direct inroads into the company's marketplaces providing the competitors a marked economic advantage. Additionally, a significant part of Legacy's business is derived from continuing services. A number of independent organizations could use the information in these reports provides them with a convenient and inexpensive customer list from which to assail Legacy's market.

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 U.S. Nuclear Regulatory Commission (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](mailto: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

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

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<b>DATE</b>	11/22/13	11/22/13

**OFFICIAL RECORD**