

May 21, 2015

Richard Vann Bynum, PhD
Chief Operating Officer
SHINE Medical Technologies, Inc.
2555 Industrial Drive
Monona, WI 53713

SUBJECT: SHINE MEDICAL TECHNOLOGIES, INC. - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (TAC NO. MF2307)

Dear Dr. Bynum:

By letter dated October 28, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13269A378) SHINE Medical Technologies, Inc. (SHINE), submitted an affidavit executed by yourself, which requested that information contained in the following document be withheld from public disclosure pursuant to the Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390:

Enclosure 1, "A Phase I Archaeological Survey of the Proposed SHINE Medical Isotope Production Facility, Near Janesville, Rock County, Wisconsin."

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

The information sought to be withheld from public disclosure contained in Enclosure 1[...] is owned by SHINE, its affiliates or third parties to whom SHINE has an obligation to maintain its confidentiality. This information is and has been held in confidence by SHINE.

The information sought to be protected in Enclosure 1 is not available to the public to the best of my knowledge and belief.

The information contained in Enclosure 1 contains information about the location, character, or ownership of historic resources protected by Section 304 of the National Historic Preservation Act.

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

Therefore, the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5), as well as Section 103(b) of the Atomic Energy Act of 1954, as amended.

R. Vann Bynum

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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) 415-1524.

Sincerely,

/RA/

Steven T. Lynch, Project Manager
Research and Test Reactors Licensing Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Docket No. 50-608

cc: Jim Costedio
Licensing Manager
SHINE Medical Technologies, Inc.
2555 Industrial Drive
Monona, WI 53713

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