

Linde Electronics & Specialty Gases LLC
1 Greenwich Street, Suite 100
Stewartsville, NJ 08886

Telephone: 800 932 0624
908 329 9700
Fax: 908 923 9740
www.lindeus.com

June 23, 2016

Deputy Director
Office of International Programs
U.S. Nuclear Regulatory Commission
Washington, DC. 20555-0001

Affidavit for exclusion of information per 10 CFR 2.390

Dear Deputy Director,

Please find attached our affidavit for exclusion of information for our specific license application XMAT437. If you have questions or need additional information, please feel free to contact me.

Kind regards,



Rebecca Dabkowski
Trade Compliance Manager
Linde Gas North America, LLC
O: 908 329 9742 C: 908 619 3708
Rebecca.dabkowski@linde.com

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Dear Deputy Director,

As the Trade Compliance Manager for Linde Gas North America, I am the person responsible for evaluating the proprietary information contained within our specific license application. On behalf of Linde Gas North America, I respectfully requests to have proprietary supply chain information withheld from our license application for export to Israel. The information sought to be withheld pursuant to the provisions of 10CFR 2.390(a)(4) is the customer information including the intermediate consignee/distributor located in boxes 7-9 of NRC form 7. Linde is providing our customer and distribution network details with our specific license application and views this data as proprietary commercial information.

The list of customers should be held in confidence by the NRC based on 10CFR 2.390(b)(4) because:

- a) This information is being transmitted to the NRC voluntarily and in confidence.
- b) This information is, and has been, held in confidence by Linde and is not available in the public domain.
- c) This information is of a type that is customarily held in confidence by Linde because this information, if released, might result in the loss of competitive advantage, since it reveals our distribution network, as well as our end users for the product.
- d) Public disclosure of this information is likely to cause substantial harm to the competitive position of Linde, because similar products are manufactured and sold by our competitors. Linde has expended considerable time and money to have a leading position in this specialized market including developing new commercial markets, securing our supply chain, perfecting processes to produce this product, building our global customer base, and complying with all regulations for export of this product.
- e) Access to this information would mean an unfair advantage to our competition. Competitors with this information would be allowed to circumvent the expense and time for developing such business leads and market presence, which in turn undermines Linde's business and leading market position.

Accordingly, we respectfully request the designated information be withheld from public disclosure for the reasons stated above.

Executed on June 23, 2016



Rebecca Dabkowski
Trade Compliance Manager
Linde Gas North America, LLC

