

August 11, 2016

Mr. Ralph A. Butler, Director
University of Missouri – Columbia
Research Reactor Center
1513 Research Park Drive
Columbia, MO 65211

SUBJECT: UNIVERSITY OF MISSOURI RESEARCH REACTOR - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Butler:

By letter dated May 23, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16146A188) University of Missouri Research Reactor Center, submitted an affidavit executed by Richard G. Miller, 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:

Reactor Based Mo-99 Supply System Project: Revised Licensing Approach

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 is being submitted to the NRC in confidence. The information is of a sort customarily held in confidence, is of a sort customarily held in confidence by General Atomics, and is in fact so held. The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by General Atomics. No public disclosure has been made, and it is not available in public sources. All disclosures to third parties, including any required transmittals to the NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence.

The information classified as proprietary was developed and compiled by General Atomics at a significant cost to General Atomics. This information is classified as proprietary because it contains detailed data and analytical results not available elsewhere. This information would provide other parties, including competitors, with information from General Atomics technical database and the results of evaluations performed by General Atomics. Release of this information would improve a competitor's position without the competitor having to expend similar resources for the development of the database. A significant effort has been expended by General Atomics to develop this information.

Public disclosure of the information sought to be withheld is likely to cause substantial harm to General Atomics' competitive position. The information is part of General

Atomics' selective gas extraction technology base, and its commercial value extends beyond the original development cost.

The research, development, engineering, and analytical costs associated with General Atomics' unique selective gas extraction system and process comprise a substantial investment of time and resources by General Atomics.

The Nuclear Regulatory Commission (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.

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 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. 50-186

cc: See next page

Atomics' selective gas extraction technology base, and its commercial value extends beyond the original development cost.

The research, development, engineering, and analytical costs associated with General Atomics' unique selective gas extraction system and process comprise a substantial investment of time and resources by General Atomics.

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.

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 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. 50-186

cc: See next page

DISTRIBUTION:

PUBLIC	LTran, NRR	RidsNrrDprPrta
PRLB r/f	SLynch, NRR	RidsNrrDpr
RidsACRS_MailCTR	AAdams, NRR	RidsNrrDprPrtb
RidsOgcMailCenter	MBalazik, NRR	GWertz, NRR

ADAMS Accession No.: ML16216A696; *concurrence via e-mail **NRR-084**

OFFICE	NRR/PRLB/PM	NRR/LA*	NRR/PRLB/BC	NRR/PRLB/PM
NAME	SLynch	NParker	(LTran for) AAdams	SLynch
DATE	08/10/2016	08/10/2016	08/10/2016	08/11/2016

OFFICIAL RECORD COPY

University of Missouri-Columbia

Docket No. 50-186

cc:

Les Foyto, Associate Director
Reactor and Facilities Operations
University of Missouri – Columbia
Research Reactor Center
1513 Research Park Drive
Columbia, MO 65211

Homeland Security Coordinator
Missouri Office of Homeland Security
P.O. Box 749
Jefferson City, MO 65102

Planner, Dept of Health and Senior Services
Section for Environmental Public Health
P.O. Box 570
Jefferson City, MO 65102-0570

Deputy Director for Policy
Department of Natural Resources
1101 Riverside Drive
Fourth Floor East
Jefferson City, MO 65101

A-95 Coordinator
Division of Planning
Office of Administration
P.O. Box 809, State Capitol Building
Jefferson City, MO 65101

Test, Research, and Training
Reactor Newsletter
University of Florida
202 Nuclear Sciences Center
Gainesville, FL 32611