



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 2, 2016

Mr. Steven E. Sisley
EnergySolutions Spent Fuel Division
2105 South Bascom Ave., Suite 230
Campbell, CA 95008

SUBJECT: APPROVAL OF ENERGYSOLUTIONS REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE OF THE APPLICATION TO
REVISE THE CERTIFICATE OF COMPLIANCE OF THE MODEL NO. MIDUS

Dear Mr. Sisley:

As part of the review of Revision 3 of the Model No. MIDUS (MIDUS stands for **M**edical **I**sotope **D**epleted **U**ranium **S**hielded) transportation package, you submitted an affidavit dated July 14, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16202A410), requesting that the following information related to the Model No. MIDUS package be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

1. Blanjaar, Frank, "Radiolytic gas formation in Mallinckrodt produced Mo99 solutions," Version 2.2, January 2006. Attachment to Section 3.5.5 of the application (TYC01-1600).
2. Blanjaar, Frank, "Hydrogen generation in Mallinckrodt produced Mo99 solutions," Version 2.3, April 2006 – Attachment to Section 3.5.6 of the application (TYC01-1600).

In general, the affidavit notes that the information submitted should be considered exempt from mandatory public disclosure for the following reasons:

- Information that discloses descriptions of the design and analysis of the MIDUS radioactive material transportation packaging, where prevention of its use by competitors of EnergySolutions, without license from EnergySolutions, constitutes a competitive economic advantage over other companies.
- Information that, if used by a competitor, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality or licensing of a similar product.
- Information that includes certain portions of the safety analysis report, computer files, and documents containing calculations related to the design of the MIDUS radioactive material transportation packaging, which are owned and are held in confidence by EnergySolutions.

- Information that EnergySolutions has devoted a significant amount of time and money in the research, development, engineering, analytical, and other costs to develop the information. This information contains detailed descriptions of analytical approaches, methodologies, technical data, and/or evaluation results.

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 sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

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. A non-proprietary version of "TYC01.1600, MIDUS Transportation Package Safety Analysis Report," Revision 4, as appropriate, was placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the ADAMS Public Electronic Reading Room (ADAMS Accession No. ML16202A408).

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 regarding this matter, you may contact me at 301-415-6999.

Sincerely,

/RA John McKirgan Acting for/

Norma García Santos, Project Manager
Spent Fuel Licensing Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 71-9320
CAC No. L25103

- Information that EnergySolutions has devoted a significant amount of time and money in the research, development, engineering, analytical, and other costs to develop the information. This information contains detailed descriptions of analytical approaches, methodologies, technical data, and/or evaluation results.

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/RA John McKirgan Acting for/

Norma García Santos, Project Manager
 Spent Fuel Licensing Branch
 Division of Spent Fuel Management
 Office of Nuclear Material Safety
 and Safeguards

Docket No. 71-9320

CAC No. L25103

ADAMS Accession No.: ML16251A002

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NAME	N. Garcia Santos		S. Figueroa		JMcKirgan	
DATE	9/1/16		9/2/16		9/2/16	

"C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure

"N" = No copy

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