

UNIVERSITY of MISSOURI

RESEARCH REACTOR CENTER

February 14, 2018

Attention: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Reference: Docket 50-186
University of Missouri-Columbia Research Reactor
Renewed Facility Operating License No. R-103

Subject: Request for a closed meeting session during the February 26, 2018 Public Meeting on
"Meeting to discuss Part 2 of an Experimental Facility at the University of Missouri-
Columbia Research Reactor to Produce Molybdenum-99," (ML18038B494)

The University of Missouri-Columbia Research Reactor (MURR) requests a closed meeting session during the February 26, 2018 Public Meeting to discuss the technical and licensing considerations associated with the Selective Gas Extraction (SGE) separation technology used to produce molybdenum-99. Sensitive proprietary information that will be discussed during this closed session includes the following:

1. Project Timeline, including anticipated licensing action submittals and needed licensing approval schedules; and
2. Technical discussion of the SGE separation technology – presentation titled "*General Atomics Selective Gas Extraction Process*."

Enclosed you will find the required affidavit for the closed session of the meeting. If you have any questions, please contact Les Foyto, Associate Director of Reactor and Facilities Operations, (573) 882-5276 or foytol@missouri.edu.

Sincerely,



Matthew R. Sanford
Interim Director

MRS/jlm

Enclosures

- a. General Atomics Affidavit of Christina A. Back, dated February 13, 2018



A020
NRR

GENERAL ATOMICS
AFFIDAVIT OF CHRISTINA A. BACK

I, Christina A. Back, Vice President of Nuclear Technologies and Materials, General Atomics, do hereby affirm and state:

- (1) I have been delegated the function of reviewing information described in paragraph 3 which General Atomics requests be withheld from public disclosure or publication and I am authorized to execute this affidavit on behalf of General Atomics.
- (2) The affidavit is submitted under the provisions of 10CFR Part 2.390 to withhold documents containing confidential commercial and proprietary information (as set forth in paragraph 3 following) of General Atomics from public disclosure or publication.
- (3) General Atomics (GA) has partnered with The University of Missouri Research Reactor (MURR) and Nordion to develop the Reactor-Based Mo-99 Supply System (RB-MSS) Project using its Selective Gas Extraction process. The information sought to be withheld is related to the analysis, design, development and licensing of General Atomics' technology for deployment at MURR.

This information is contained in a presentation titled "*General Atomics Selective Gas Extraction Process*" presented to the U.S. Nuclear Regulatory Commission by MURR, dated February 26, 2018.

Essentially each and every page of this document contains proprietary material developed by General Atomics, and for General Atomics by its partners MURR and Nordion that is "proprietary", "business sensitive", and/or "trade secret".

- (4) In making this application for withholding of proprietary information of which it is the owner, General Atomics relies upon the exemption from disclosure set forth in the Freedom of Information Act ("FOIA"), 5 USC Sec. 552(b)(4) and the Trade Secrets Act, 18 USC Sec. 1905, and NRC regulations 10CFR Part 9.17(a)(4), a2.390(a)(4), and 10CFR2.390(b) for "trade secrets and commercial or financial information obtained from a person and privileged or confidential." The material for which exemption from disclosure is hereby sought is all "confidential commercial information," and/or also qualify under the narrower definition of "trade secret," within the meanings assigned to those terms for purposes of FOIA Exemption 4 in, respectively, Critical Mass Energy Project v. Nuclear Regulatory Commission, 975F2d871 (DC Cir. 1992), and Public Citizen Health Research Group v. FDA, 704F2d1280 (DC Cir. 1983).
- (5) Pursuant to Paragraph (4) above, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by General Atomics' competitors without license from General Atomics constitutes a competitive economic advantage over other companies;
 - b. Information which, if used by a competitor, would reduce his or her expenditure of resources or improve his or her competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.
 - c. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.
 - d. The information sought to be withheld is being submitted to the NRC in confidence. The information 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.
 - e. 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.
 - f. 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, whose precise value is difficult to quantify, but clearly is substantial and extends beyond the original development cost. Public disclosure of the information sought to be withheld is likely to cause substantial harm to General Atomics' competitive position.
- (6) 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.
- (7) Initial approval of proprietary treatment of a document is made by the manager of the

originating business unit, the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge. Access to such documents within General Atomics is limited on a "need to know" basis.

Disclosures outside General Atomics are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary non-disclosure agreements for protecting the information from further disclosure.

- (8) 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.
- (9) 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.

GENERAL ATOMICS

Christina Back

Christina A. Back
Vice President, Nuclear Technologies and Materials

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego

On February 13, 2018 before me, Brenda B. Dawson, Notary Public, personally appeared Christina A. Back, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Brenda B. Dawson

(Signature of Notary)

