

March 7, 2018

Mr. Matthew Sanford
Interim Reactor Facility Director
University of Missouri-Columbia
Research Reactor Center
1513 Research Park Drive
Columbia, MO 65211

SUBJECT: UNIVERSITY OF MISSOURI AT COLUMBIA - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE RE: PUBLIC MEETING CLOSED SESSION TO DISCUSS PROPRIETARY INFORMATION ON THE SELECTIVE GAS EXTRACTION TARGET EXPERIMENTAL FACILITY AT THE UNIVERSITY OF MISSOURI-COLUMBIA RESEARCH REACTOR (CAC NO. A11010/05000186/L-2017-LLA-0227)

Dear Mr. Sanford:

By letter dated February 14, 2018 (Agencywide Documents Access and Management System Accession No. ML18047A138), the University of Missouri-Columbia Research Reactor requested a closed session for the February 26, 2018, public meeting to discuss the technical and licensing considerations associated with the Selective Gas Extraction (SGE) experimental facility, and submitted an affidavit executed by Christina A. Back, Vice President of Nuclear Technologies and Materials, General Atomics, requesting that the following information be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390:

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."

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

- 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.

The U.S. 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.

M. Sanford

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If you have any questions regarding this review, please contact me at (301) 415-0893 or by electronic mail at Geoffrey.Wertz@nrc.gov.

Sincerely,

/RA/

Geoffrey A. Wertz, Project Manager
Research and Test Reactors Licensing Branch
Division of Licensing Projects
Office of Nuclear Reactor Regulation

Docket No. 50-186
License No. R-103

cc: See next page

University of Missouri-Columbia

Docket No. 50-186

cc:

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ADAMS Accession No. **ML18052B063** *concurrence via e-mail **NRR-088**

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DATE	2/21/18	2/21/18	3/7/18	3/7/18

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