



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

April 26, 2018

Mr. Richard J. Freudenberger
Director of Safety and Safeguards
Nuclear Fuel Services, Inc.
P.O. Box 337, MS 123
Erwin, TN 37650

SUBJECT: DENIAL OF NUCLEAR FUEL SERVICES REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR BLENDED LOW ENRICHED
URANIUM FACILITY FINAL STATUS SURVEY REPORT

Dear Mr. Freudenberger:

By your letter dated April 12, 2018, you submitted information marked proprietary regarding the final status survey report for the Blended Low Enriched Uranium facility. The submittal requests that the information be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Paragraph 2.390(a)(4) which pertains to trade secrets. The regulations in 10 CFR 2.390(a) state that correspondence to the U.S. Nuclear Regulatory Commission (NRC) shall be made available to the public unless the NRC makes a determination that there is a compelling reason to withhold the information from the public. The regulations in 10 CFR 2.390(b) state that requests for withholding because of trade secrets must be accompanied by an affidavit that contains specific information including, in part, a full statement of the reason for claiming the information should be withheld from public disclosure and the harm that would result if the information is disclosed. Your letter fails to provide an affidavit meeting these requirements.

We have reviewed your application and all of the supporting information. The description of the site and potential contaminants involves information already available to the public. Screening concentrations and survey approaches are based on technical manuals available to the public. Previous final status survey reports have released the survey results and it is in the public interest to release the survey results in this case also. Accordingly, we have concluded that the information sought to be withheld from public disclosure, as noted above, does not meet the requirements of 10 CFR 2.390(b).

Your letter will be made publicly available in the NRC's Agencywide Documents Access and Management System (ADAMS) unless you respond within 30 days to this letter. Within this time frame, you may request withdrawal of the documents in accordance with 10 CFR 2.390(c).

In accordance with 10 CFR 2.390 of the NRC "Agency Rules of Practice and Procedure," a copy of this letter will be available for public inspection in the NRC Public Document Room or from ADAMS. ADAMS is accessible from the NRC web site at:
<https://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

R. Freudenberger

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If you have any questions regarding this letter, please contact me by phone at 301-415-7506 or via e-mail to Kevin.Ramsey@nrc.gov.

Sincerely,

\RA

Kevin M. Ramsey, Senior Project Manager
Fuel Manufacturing Branch
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No. 70-143
License No. SNM-124

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DATED: April 26, 2018

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