



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713

April 23, 2019

Victor Letourneaut, President
Up-Side Management Company
324 East Third Street
Jacksonville, FL 32206

SUBJECT: UP-SIDE MANAGEMENT COMPANY, REVIEW OF PROPRIETARY
INFORMATION, MAIL CONTROL NO. 609627

Dear Mr. Letourneaut:

This is in reference to your letter dated April 9, 2019, responding to our request for additional letter dated March 27, 2019, associated with the application for a new NRC License No. 09-35501-01. In accordance with your affidavit, you requested the following procedures for withheld pursuant to 10 CFR 2.390:

- Radiological Non-conformance Report 000-NCR-01, Rev. 0
- Bioassay Procedure 000-BAP-01, Rev. 1
- Radiological Records 100-AP-103, Rev. 0
- Audits, Assessments, and Oversight 100-AP-101, Rev. 0
- Operation and Calibration of Ludlum Model 2929 Scaler 200-IP-202 Rev 0.
- Operation of Ludlum Model 19 Survey Meter 200-IP-201 Rev. 0
- Preparation of Portable Radiation and Contamination Survey Meters and Instruments for Field Use 200-IP-203 Rev. 0.
- Operation of Low Volume Air Samples 200-IP-204, Rev. 0
- Operation of High Volume Air Samples 200-IP-205, Rev. 0
- Radiation & Contamination Surveys 300-SP-301, Rev. 0
- Surface Soil Sampling, 300-SP-304, Rev. 0
- General Sampling 300-SP-303, Rev. 0
- Water Sampling 300-SP-306, Rev. 0
- Sample Chain of Custody 400-CP-402, Rev. 0
- Release of Materials from Controlled Areas 400-CP-403, Rev. 0
- Dosimetry 400-CP-405, Rev. 0
- Radiological Posting and Access Control 400-CP-409 Rev. 0
- Radiological Incident Response 400-EP-501, Rev. 0
- Decontamination of Equipment and Tools, 600-CP-601, Rev. 0.
- ALARA Program 700-AP-701, Rev. 0

The documents were reviewed by the staff and they do not appear to contain confidential commercial information such that the release of the procedures would potentially cause financial harm to the company. The explanation for the potential harm in the affidavit is generic and it doesn't say what specifically about the information is confidential or how it could be used by a competitor to the financial disadvantage of the company. It is possible that some small sections could be proprietary, if properly redacted and explained. However, as presented it appears that

this is not proprietary information. This information is needed so as to proceed with the licensing review and to take official action on your application. You have the following choices:

1. You may request the return of the procedures, and resubmit procedures that are permissible to be publically viewed in support of your application;
2. You may submit redacted portions of the procedure with specifics why that specific section need to be redacted in accordance with 10 CFR 2.390; or
3. You may request the retrieval of the procedures, and resubmit the same procedures without the banner and copyright information and with permission to publish the documents.

In order to continue prompt review of your application, we request that you submit your response to this letter within 30 calendar days from the date of this letter.

An electronic version of the NRC's regulations is available on the NRC Web Site at: www.nrc.gov. Additional information regarding use of radioactive materials may be obtained on the NRC Web Site at: <http://www.nrc.gov/materials/miau/mat-toolkits.html>. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web Site at: <http://www.nrc.gov/reading-rm/adams.html>. Please be aware that you may request that certain portions of your submittal to NRC be withheld from public disclosure as proprietary information. To do this, you must execute an affidavit as specified in 10 CFR 2.390. You must list all portions that you wish to be held proprietary, along with your reasoning as to why that is appropriate. While it is allowable, please refrain from submitting proprietary information in support of a license unless necessary. Keep in mind that all NRC licenses are considered to be in the public domain, and therefore may be viewed by any member of the public who requests to see them.

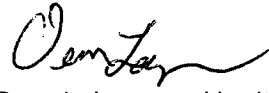
If you have any questions regarding this request for additional information, please contact me at Dennis Lawyer or via electronic mail at dennis.lawyer@nrc.gov.

V. Letourneaut

3

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Lawyer". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Dennis Lawyer, Health Physicist
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

License No. 09-35501-01
Docket No. 03039124
Mail Control No. 609627

cc: Willie Bremer, Radiation Safety Officer

UP-SIDE MANAGEMENT COMPANY, REQUEST FOR ADDITIONAL INFORMATION, MAIL CONTROL NO. 609627 DATED April 23, 2019

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