

From: [White, Bernie](#)
To: [Boyle, Rick \(PHMSA\)](#)
Cc: ["Michael.Conroy@dot.gov"](mailto:Michael.Conroy@dot.gov)
Subject: FYI: Approval of Request for Withholding Proprietary Information from Public Disclosure for the F-522
Date: Friday, April 16, 2021 8:31:00 AM

Good Morning Rick,

By letter dated November 6, 2019, (Agencywide Documents Access and Management System [ADAMS] Accession No. ML19344A012), you submitted an affidavit from BWXT ITG Canada Inc., dated October 24, 2019, requesting that the information contained in this submittal for the Model No. F-522 package be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390. The proprietary information in your submittal includes the proprietary version of Document No. IS/TR 2650 F522, "Engineering Assessment of the Ability of the F-522/UK-201 Type B Package to Meet IAEA SSR-6, 2012 Edition."

A non-proprietary copy of this document, as appropriate, were placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the ADAMS Public Electronic Reading Room.

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

- The information provided in BWXT ITG's submission to the DOT is the property of BWXT ITG and contain privileged and confidential information related to the design process, technical information and procedures of BWXT ITG.
- BWXT ITG has expended extensive funds and manpower in developing the aforementioned documents and any release or disclosure of information to third parties would enable third parties to use this information to fabricate, use and register similar products while reducing their development risk and cost. This would compromise BWXT ITG's ability to compete in the marketplace.
- The information has been held in confidence by BWXT ITG and any disclosure by BWXT ITG thereof for business purposes, developmental purposes or otherwise has been protected by and accompanied by a confidentiality agreement protecting the trade secrets and proprietary information contained therein.

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.

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, feel free to reach out to me

Thanks
Bernie White
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