



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

March 8, 2023

Debra Bensen
Radiation Safety Officer
400 Perimeter Center Terrace, Suite 50
Atlanta, GA 30346

**SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION APPROVAL OF ELEKTA, INC.
REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE**

Dear Ms. Bensen:

Elekta, Inc. submitted an affidavit dated August 23, 2022, executed by Charlotte G. Harrison, requesting that the information included in your letter dated September 1, 2022, regarding Elekta, Inc.'s amendment request for SSD Registration Certificate NR-0269-D-104-S, be withheld from public disclosure pursuant to 10 CFR 2.390.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure because the information contains trade secrets, privileged or confidential commercial or financial information: (1) the information withheld from disclosure protects Elekta, Inc.'s competitive position; (2) the information is marketable in many ways and could diminish Elekta Inc.'s ability to sell products involve the use of this information; (3) use of this information by Elekta, Inc. competitors would place Elekta, Inc. at a competitive disadvantage by reducing their expenditure or resources at Elekta, Inc.'s expense; (4) each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage; and (5) unrestricted disclosure of this information could jeopardize Elekta, Inc.'s position in the world market.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 9.17 and 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains trade secrets or confidential or privileged commercial or financial information and should be withheld from public disclosure.

Therefore, Elekta, Inc. information in the letters dated September 1, 2022 and December 15, 2022, as well as Elekta, Inc.'s email dated January 27, 2023, will be withheld from public disclosure pursuant to 10 CFR 9.17 and 10 CFR 2.390(b)(4) and 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 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 U.S. Nuclear Regulatory Commission (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.

D. Bensen

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If you have any questions, please contact me at (301) 415-4059, or by email at Joseph.Rolland@nrc.gov.

Sincerely,

3/8/2023

X



Joseph Rolland

Mechanical Engineer

Signed by: Joseph D. Rolland

Materials Safety and Tribal Liaison Branch
Division of Material Safety, Security, State, and
Tribal Programs
Office of Nuclear Material Safety
and Safeguards

D. Bensen

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DISTRIBUTION:

SSD Case 22-21

ADAMS Accession No.: ML23061A122 *Concurrence via Email

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NAME	JRolland	THerrera	SPoy	JRolland
DATE	3/6/23	3/7/23	3/7/23	3/8/23

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