

Linton, Ron

From: Mark Pelizza [mspelizza@uraniumresources.com]
Sent: Monday, August 22, 2011 2:24 PM
To: Linton, Ron
Subject: RE: 10 CFR 2.390 request

Ron,

Per your request below, HRI's concurs that the MS Excel files from the CD dated May 16, 2011 that have been converted to Portable Document Format (pdf) can be made public in NRC's Agencywide Documents Access and Management System (ADAMS). Moreover, HRI's concurs that additional pdf formatted files that are produced from Excel files that have been, or may be, submitted related to HRI's request to lift the prohibition on the effectiveness of license No. SUA-1580 can be made public. HRI requests that the files that the actual Microsoft Excel based models on the CD's that have been, or will be, used to calculate reclamation costs remain confidential and be withheld from public disclosure in accordance with 10 CFR. § 2.390(a)(4).

Thank you.

Mark Pelizza

From: Linton, Ron [Ron.Linton@nrc.gov]
Sent: Tuesday, August 09, 2011 6:34 AM
To: Mark Pelizza
Subject: 10 CFR 2.390 request

Mark:

The U.S. Nuclear Regulatory Commission (NRC) has received Hydro Resources, Inc's (HRI) request dated June 9, 2011, to withhold a compact disc (CD) containing electronic files that include data, information, and other items pursuant to 10 CFR § 2.390. The files were submitted in response to a NRC request for additional information, dated May 16, 2011, that was related to HRI's request, dated October 18, 2011, that NRC lift the prohibition on the effectiveness of license No. SUA-1580. Because the files on the CD contain confidential and/or proprietary business information, including a Microsoft Excel based model used to calculate reclamation costs, HRI requested the files on the CD remain confidential and be withheld from public disclosure in accordance with 10 CFR. § 2.390(a)(4).

The Excel based spreadsheet electronic files on the CD have been withheld from public view. The cover letter, other supporting information, and the affidavit accompanying this request have been made publicly available in NRC's Agencywide Documents Access and Management System (ADAMS), accession number ML118A035.

NRC has placed Portable Document Format (pdf) formatted files of the Excel spreadsheet files from the CD in ADAMS as non-publicly available. These pdf formatted files do not contain the Excel formulas and/or calculations used in the spreadsheets. NRC has determined that the pdf formatted files do not contain non-public information as they only contain values, not the formulas, used for the determination of surety. These spreadsheets are not routinely protected from public view by the NRC.

NRC requests HRI's concurrence that the files from the CD in pdf format can be made public. NRC also requests HRI's concurrence that additional pdf formatted files can be made public that are produced from Excel files that have been submitted, or may be submitted, related to HRI's request to lift the prohibition on the effectiveness of license No. SUA-1580.

Please contact me at 301-415-7777, or ron.linton@nrc.gov, if you have any questions.

Ron C. Linton
Project Manager/Hydrogeologist
Office of Federal and State Materials
and Environmental Management Programs
U.S. Nuclear Regulatory Commission
Mailstop T8F5
Washington, DC 20555
301-415-7777
ron.linton@nrc.gov