

July 27, 2012

Gregory Piefer, PhD  
Chief Executive Officer  
SHINE Medical Technologies, Inc  
2555 Industrial Drive  
Monona, WI 53713

SUBJECT: SHINE MEDICAL TECHNOLOGIES, INC. - REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE (TAC NO. ME1401)

Dear Dr. Piefer:

By letter dated June 8, 2012 (SMT-2012-021, Agencywide Documents Access and Management System (ADAMS) Accession No. ML12198A327), SHINE Medical Technologies, Inc. (SHINE), submitted an affidavit (ADAMS Accession No. ML12198A027) dated June 8, 2012, executed by yourself, which requested that information contained in the following document be withheld from public disclosure pursuant to the Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390:

Enclosure 1, SMT-2012-021, SHINE Medical Technologies, Inc. Proprietary  
Responses to Requested Information

A nonproprietary copy of this document, designated as Enclosure 2, has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS, Accession No. ML12198A026.

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

The information is of the type that would customarily be held in confidence by SHINE. The information that SHINE is requesting to be withheld from public disclosure includes confidential commercial information regarding SHINE project schedule activities and assumptions. SHINE limits access to these elements to those with a "need to know" subject to maintaining confidentiality. Public disclosure of these elements is likely to harm SHINE because it would allow others to understand SHINE's competitive expectations, assumptions, processes and current position.

We have reviewed your submittal in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version 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.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

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 in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-1404.

Sincerely,

**/RA/**

Xiaosong Yin, Project Manager  
Research and Test Reactors Licensing Branch  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

Docket No. PROJ0792

cc:

Mr. James Freels  
Licensing Project Manager  
SHINE Medical Technologies, Inc.  
2555 Industrial Drive  
Monona, WI 53713

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Mr. James Freels  
Licensing Project Manager  
SHINE Medical Technologies, Inc.  
2555 Industrial Drive  
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**ADAMS Accession Nos. ML12206A382**

**NRR-084**

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