

July 27, 2012

Carmen Irene Bigles
Chief Executive Officer/President
Coqui RadioPharmaceuticals Corp.
P.O. Box 958
Bayamon, Puerto Rico 00960

SUBJECT: COQUI RADIOPHARMACEUTICALS CORPORATION - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (TAC NO.
ME1401)

Dear Ms. Bigles:

By letter dated June 8, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12171A176), Coqui Radio Pharmaceuticals Corp. (Coqui), submitted an affidavit (ADAMS Accession No. ML12171A178) dated June 7, 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, Coqui RadioPharmaceuticals Corporation - Plans for Submission of
Application for Medical Isotope Production Facilities

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. ML121771A177.

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

- a. Public disclosure of this information would create substantial harm to the competitive position of Coqui by potentially disclosing the timing of entry into the market for constructing and operating the MIPF, and
- b. Coqui's competitive advantage will be lost if its competitors are able to use Coqui's to aid their own commercial activities. The value of this information to Coqui would be lost if the information were disclosed to the public. Making such information available to other entities without their having been required to undertake a similar expenditure of resources would unfairly provide competitors with a windfall, and deprive Coqui of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment.

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. PROJ0786

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