

April 30, 2013

Richard Vann Bynum, PhD
Chief Operating 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. ME7820)

Dear Dr. Bynum:

By letter dated March 29, 2013 (SMT-2013-013, Agencywide Documents Access and Management System (ADAMS) Accession No. ML13093A017), SHINE Medical Technologies, Inc. (SHINE), submitted an affidavit 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-2013-013, Closed Meeting Slides

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 as an attachment to the March 29, 2013 letter discussed above (ADAMS Accession No. ML1309A018).

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

The information is of the type that is customarily held in confidence by SHINE, and there is a rational basis for doing so. The information that SHINE is requesting to be withheld from public disclosure includes trade secret, confidential commercial information or information that is subject to export controls. SHINE limits access to these elements to those with a "need to know," and subject to maintaining confidentiality.

The proprietary information sought to be withheld from public contained in Enclosure 1 during the non-public portion of the April 17, 2013 meeting include, but is not limited to: structural configuration, primary and supporting systems of the medical isotope facility, and process and systems locations. This would include information regarding the types, quantities, and locations of materials stored on site as would be referenced in facility configuration drawings.

Information could be disclosed in the materials presented in Enclosure 1 that involves data or records concerning SHINE's physical protection, classified matter protection, or material control and accounting program for special nuclear material not otherwise designated as Safeguards Information or classified as National Security Information or Restricted Data.

Public disclosure of the information in Enclosure 1 would create substantial harm to SHINE because it would reveal valuable business information regarding SHINE's competitive expectations, assumptions, processes and current position. Its use by a competitor could substantially improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

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 301-415-1524.

Sincerely,

/RA/

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

Docket No. PROJ0792

cc:

Jim Costedio
Licensing Manager
SHINE Medical Technologies, Inc.
2555 Industrial Drive
Monona, WI 53713

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Steve Lynch, Project Manager
Research and Test Reactors Licensing Branch
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Licensing Manager
SHINE Medical Technologies, Inc.
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NRR-084

OFFICE	NRR/PRLB/PM	NRR/PRLB/LA	NRR/PRLB/ABC	NRR/PRLB/PM
NAME	SLynch	GLappert	AAdams	SLynch
DATE	4/25/2013	4/29/2013	4/29/2013	4/30/2013

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