



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555 - 0001

May 3, 2013

Ms. Lisa Bartle  
Order Fulfillment Manager  
Agilent Technologies, Inc.  
2850 Centerville Road  
Wilmington, DE 19808

SUBJECT: NRC APPROVAL OF AGILENT TRECHNOLOGIES REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE OF  
QUARTERLY GENERAL LICENSED DEVICE TRANSFER REPORTS  
SUBMITTED TO THE NRC.

Dear Ms. Bartle:

By letter dated April 4, 2013, Agilent Technologies Inc. submitted an affidavit dated April 4, 2013, executed by you and requested that the information provided and submitted to the NRC by you in your quarterly devices transfer reports of general licensed devices be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations (10 CFR), Part 2, Section 2.390. A non-proprietary copy of documents supporting your request has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

In the affidavit you stated that Agilent Technologies, Inc. is the sole owner of the information provided in the quarterly device transfer reports and to your best knowledge, the information, as presented, is not currently available in public sources. Agilent Technologies Inc. customarily treats this type of information as confidential. The company has a formal information security classification and disclosure policy, and under this policy, lists of active customers and information relevant to their measurement geometrics, is considered proprietary.

You cited an example of information fitting Agilent Technologies' definition of proprietary information are customers lists and volume of shipments.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the information contained in your quarterly device transfer reports, sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the information in your quarterly reports submitted to the NRC marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(a)(4).

Please note, if the basis for withholding of 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.

If you have any questions regarding this matter, I may be reached at 301-415-7894

Sincerely,

**/RA/**

Ujagar S. Bhachu, GLTS Project Manager  
Division of Materials Safety  
and State Agreements  
Office of Federal and State Materials  
and Environmental Management Programs

Please note, if the basis for withholding of 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.

If you have any questions regarding this matter, I may be reached at 301-415-7894

Sincerely,

**/RA/**

Ujagar S. Bhachu, GLTS Project Manager  
US Regulatory Commission  
Office of Federal and State Materials  
and Environmental Management Programs  
Division of Materials Safety and State Agreements

OFFICE	FSME	FSME			
NAME	UBhachu	MKotzalas			
DATE	04/19/2013	05/3/2013			

**OFFICIAL AGENCY RECORD**