

July 21, 2015

Mr. Michael Anderson, President  
Aerotest Operations, Inc.  
3455 Fostoria Way  
San Ramon, CA 94583

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
FOR AEROTEST OPERATIONS, INC., ANI NUCLEAR INSURANCE  
INSPECTION REPORT (TAC NO. MF6254)

Dear Mr. Anderson:

By letter dated June 3, 2015 (Agencywide Documents Access and Management System, Accession No. ML15156A886), and following the U.S. Nuclear Regulatory Commission (NRC) request dated May 28, 2015, Pillsbury Winthrop Shaw Pittman LLP, on behalf of Aerotest, submitted a letter entitled, "Voluntary Submission of ANI Nuclear Insurance Inspection Report." The letter contained two enclosures:

1. Business Confidential ANI Nuclear Insurance Inspection Report
2. Request to Withhold From Public Disclosure

In Enclosure 2, Aerotest Operations, Inc., submitted an affidavit executed by yourself, which requested that information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390:

Enclosure 1, Business Confidential, ANI Nuclear Insurance Inspection Report

The affidavit stated that pursuant to 10 CFR 2.390, Public Exemptions, Request for Withholding, Aerotest Operations, Inc. (Aerotest) hereby requests that certain information attached to the Voluntary Submission of American Nuclear Insurers (ANI) Nuclear Insurance Inspection Report be withheld from public disclosure, as such information contains commercial confidential information which is Business Proprietary.

In support of your request, you stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The information sought to be withheld from public disclosure is the ANI Nuclear Insurance Inspection Report dated December 5, 2014 included as Enclosure 1 to the Voluntary Submission of ANI Nuclear Insurance Inspection Report ("Voluntary Submission") marked as Business Confidential.
2. The person making this request is Michael S. Anderson of Aerotest.

3. The basis for proposing that the information be withheld from public disclosure is that the information marked as Business Confidential is confidential business information of Aerotest, which information has been held in confidence by Aerotest, is a type customarily held in confidence, is not available in public sources, and if publicly disclosed would be likely to cause substantial harm to the competitive position of Aerotest taking into account the value of the information, the amount of the effort and money expended in developing the information and the difficulty with which the information could be acquired or duplicated by others;
4. If such information were disclosed to the public, Aerotest believes that competitive harm would result;
5. Enclosure (1) to the Voluntary Submission has been marked to show the location of the information sought to be withheld.

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

Therefore, the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and (d)(1), as well as 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.

M. Anderson

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If you have any questions regarding this matter, I may be reached at (301) 415-3965.

Sincerely,

***/RA/***

Spyros A. Traiforos, Project Manager  
Research and Test Reactors Licensing Branch  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

Docket No. 50-228

cc: See next page

Aerotest Operations, Inc.

Docket No. 50-228

cc:

Sandy Warren, General Manager  
Aerotest Operations, Inc.  
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San Ramon, CA 94583

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Radiologic Health Branch  
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Test, Research, and Training  
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M. Anderson

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**NRR-106**

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<b>NAME</b>	STraiforos	NParker/ABaxter	AAdams	STraiforos
<b>DATE</b>	07/20/2015	07/20/2015	07/21/2015	07/21/2015

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