

August 26, 2015

Mr. Ralph Butler, Director
Research Reactor Center
University of Missouri-Columbia
Research Park
Columbia, MO 65211

SUBJECT: UNIVERSITY OF MISSOURI AT COLUMBIA - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE INFORMATION (TAC NO. MF6514)

Dear Mr. Butler:

By letter dated August 18, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15232A226), the University of Missouri at Columbia, submitted an affidavit (which corrected an affidavit sent by letter dated July 20, 2015, ADAMS Accession No. ML15203A862) which was executed by yourself, dated August 18, 2015, and 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:

University of Missouri, Columbia, "Written communication as specified by 10 CFR 50.4(b)(1) requesting U.S. Nuclear Regulatory Commission approval to amend the Technical Specifications appended to Amended Facility License No. R-103 pursuant to 10 CFR 50.59(c) and 10 CFR 50.90, dated July 20, 2015.

A nonproprietary copy of this document 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. ML15203A867. Additional nonproprietary documents submitted as part of the amendment request can be found in ADAMS Package Accession No. ML15203A883.

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

- i. This information is and has been held in confidence by MURR.
- ii. This information is of a type that is customarily held in confidence by MURR, and there is a rational basis for doing so because the information includes sensitive business information pertaining to the production of Iodine 131.
- iii. The information is being transmitted to the NRC voluntarily and in confidence.
- iv. This information is not available in public sources and could not be gathered readily from other publicly available information.
- v. Public disclosure of this information would create substantial harm to the competitive position of MURR by disclosing business decisions MURR has made or is considering and the analysis that went behind those decisions. Development and evaluation of this commercial information was achieved at, and disclosure could lead to additional, significant cost to MURR.

- vi. Public disclosure of the information sought to be withheld is likely to cause substantial harm to MURR's competitive position. The value of the information goes beyond the disclosure of actual information pertaining to MURR's potential business, and includes substantial time and work towards developing the project, and represents significant efforts by MURR and its associates. The research, development, engineering, and analytical costs comprise a substantial investment of time and money by MURR. The precise value of the information is difficult to quantify, but clearly is substantial.
- vii. MURR's competitive advantage will be lost if its competitors are able to use the results of MURR's activities to aid their own commercial activities. The value of this information to MURR 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 MURR of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment.

We have reviewed your application and the material 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.

R. Butler

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If you have any questions regarding this review, please contact me at (301) 415-0893.

Sincerely,

/Alexander Adams for RA/

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

Docket No. 50-186

cc: See Next Page

University of Missouri-Columbia

Docket No. 50-186

cc:

Mr. Les Foyto, Associate Director
Reactor and Facilities Operations
Research Reactor Center
University of Missouri – Columbia
Research Park
Columbia, MO 65211

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Office of Administration
P.O. Box 809, State Capitol Building
Jefferson City, MO 65101

Test, Research, and Training
Reactor Newsletter
University of Florida
202 Nuclear Sciences Center
Gainesville, FL 32611

R. Butler

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***concurrence via email**

NRR-088

OFFICE	NRR/DPR/PRLB/PM*	NRR/DPR/LA	NRR/DPR/PRLB/BC	NRR/DPR/PRLB/PM
NAME	GWertz	ELee	AAdams	(AAdams for) GWertz
DATE	08/04/2015	08/05/2015	08/26/2015	08/26/2015

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