



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 3, 2020

Research and Production Company RadICS
Attention: Anton Andrashov
RadICS Director
29 Geroyiv Stalingradu Street
25009 Kirovohrad, Ukraine

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
SUPPORTING INFORMATION FOR JANUARY 23, 2019, PRESUBMITTAL
MEETING (EPID L-2019-TOP-0051)

Dear Mr. Andrashov:

By letter dated November 29, 2019 (Agencywide Documents Access and Management System Accession (ADAMS) Accession No. ML19337B056), Research and Production Corporation Radiy (RPC Radiy) submitted an November 29, 2019, affidavit executed by Mark J. Burzynski, U.S. Licensing Manager. The affidavit requested that the subject information be withheld from public disclosure under Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390 (10 CFR 2.390), "Hearing Requests, Petitions to Intervene, Requirements for Standing, and Conditions."

A nonproprietary copy of this document (ADAMS Accession No. ML19337B051) has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS.

The RPC Radiy affidavit detailed the reasons for withholding the information.

The NRC staff has reviewed the RPC Radiy application and the material in accordance with the requirements of 10 CFR 2.390. Based on the statements in the affidavit, the NRC staff has 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 under 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, the NRC staff may send copies of this information to its consultants working in this area. The agency will, of course, ensure that the NRC staff 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 staff 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 staff makes an adverse determination to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I can be reached at 301-415-7297 or via e-mail at Joseph.Holonich@nrc.gov.

Sincerely,

/RA/

Joseph J. Holonich, Senior Project Manager
Licensing Processes Branch
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 99902032

cc: Research and Production Company RadICS
Attention: Mark Burzynski
RadICS Licensing Manager
2036 Marina Cove Dr.
Hixson, TN 37343

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SUPPORTING INFORMATION FOR JANUARY 23, 2019, PRESUBMITTAL
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