

WM Record File

WM Proj. No. 85

Docket No. \_\_\_\_\_

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T. JOHNSON

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June 29, 1984

Ref: FF1624

Mr. Tim Johnson  
Engineering Branch  
Division of Waste Management  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

SUBJECT: Affidavit to withhold from public disclosure NuPac  
Proprietary information on the Enviroalloy High  
Integrity Container Family

REFERENCE: NuPac Application for the Enviroalloy HIC Family  
dated June 29, 1984.

Dear Mr. Johnson:

In accordance with the requirements of 10 CFR 2.790 for the  
withholding of proprietary information from public disclosure,  
Nuclear Packaging, Inc. has prepared the enclosed affidavit  
identifying the information withheld and reasons on the basis of  
which it is claimed that this information should be withheld from  
public disclosure.

We welcome your questions and are prepared to submit whatever  
additional information you deem necessary to justify our request  
to withhold proprietary information.

Thank you.

Sincerely yours,

NUCLEAR PACKAGING, INC.

Richard T. Haelsig  
President

Enclosure: Affidavit

RTH/bjc

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PDR



AFFIDAVIT

Submitted to Nuclear Regulatory Commission  
Concerning Confidential Information  
Contained in NuPac's Application  
for the Enviroalloy High Integrity Container Family

State of Washington )

) ss:

County of King )

I, Richard T. Haelsig, being first sworn, dispose and say:

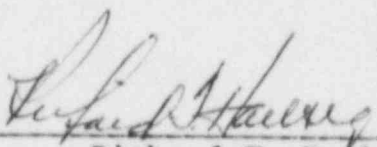
1. That I am President and a duly elected officer of Nuclear Packaging, Inc., (NuPac) 1010 South 336th Street, Federal Way, Washington 98003;
2. That I have been specifically delegated the function of reviewing proprietary information sought to be withheld from public disclosure and am authorized on behalf of the company to apply for its withholding;
3. That the information sought to be withheld contains trade secrets or privileged or confidential commercial or financial information, the release of which would cause substantial harm to the competitive position of Nuclear Packaging, Inc.; and
4. That the information sought to be withheld from public disclosure is specifically identified below:
  1. Portions of Chapter 5.0
  2. Portions of Chapter 17.0
  3. Appendix A
  4. Appendix B

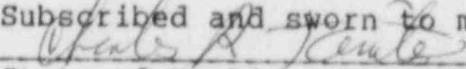
Further, and in response to 10 CFR 2.790 (b)(4):

- (i) The information has heretofore been held in confidence by Nuclear Packaging, Inc;
- (ii) the information is customarily held in confidence by Nuclear Packaging, Inc. since, to disclose such information would benefit NuPac's competitors in future designs for High Integrity Containers;



- (iii) the information has been transmitted to and, to the best of our knowledge, received by the NRC in confidence;
- (iv) the information is not now, nor is it intended in the future to be, in the public domain; should any of NuPac's competitors obtain said proprietary information, they would benefit commercially and to the detriment of Nuclear Packaging, Inc.
- (v) public disclosure of the information is likely to cause substantial harm to the competitive position of NuPac, particularly in light of the extensive engineering and financed effort which NuPac has put forth, to wit: (1) NuPac has been in the business of designing, licensing and fabricating radioactive material packages for over 8 years and during this time has developed and refined analytical and design techniques that enable said packages to meet or exceed all applicable federal codes and regulations including 10 CFR 61, and (2) NuPac has expended substantial sums of money to develop the information sought to be withheld. Public disclosure of said information would put NuPac's competitive position in jeopardy, as it would cause NuPac to lose the design and performance advantages over its competitors which it currently offers to its customers. This would result in substantial loss of sales revenue which, in part, are necessary to offset the large expenditures which NuPac has invested, or caused to be invested, in the development of high integrity container designs based on and utilizing this proprietary design.

  
Richard T. Haelsig  
President  
Nuclear Packaging, Inc.

Subscribed and sworn to me this 29 day of June, 1984.  
  
Notary Public in and for the  
State of Washington, residing at Federal Way.