

WM Record File

ACTION: WM-85-529

WM Project

Docket No.

PDR

LPDR

413.7/WM59/6/14/85

Distribution:

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(Return to WM, 523-SS)

JUN 20 1985

Cynga Energy Services
101 California Street
Suite 1000
San Francisco, CA 94111

WM r/f 413.7
NMSS r/f
WMEG r/f
REBrowning
MBell
JGreeves
GRoles
TJohnson
HMiller
LHigginbotham
JOBunting
MKnapp
PDR

Dear Mr. Hess:

SUBJECT: INFORMAL PROPRIETARY MATERIAL PROVIDED MAY 7, 1985

The material provided to NRC pursuant to the Topical Review Program contained information that you requested be withheld from public disclosure in accordance with Commission regulations regarding the handling of proprietary information. This material consists of the computer program listings for the CYTRAC waste classification system. Since the material was for the purpose of staff review of your initial topical reports submittal, and it is anticipated that there will be changes to the documents before a final version is approved, we will treat this material as proprietary information within the provision of 10 CFR 9.5(4), with the following exceptions:

1. Information which is found to be generally available to the public will not be treated as proprietary.
2. Information which is available to the government or becomes available on an unrestricted basis will thereafter be treated as non-proprietary.
3. Documentary material requested under the Freedom of Information Act (5 U.S.C. 552) will be reviewed at the time the request is received and a determination made whether such information may be withheld from public disclosure. This determination will be made on the basis of additional information which will be required to be furnished to NRC in support of Cynga's proprietary position.
4. The NRC, under a nondisclosure agreement, may disclose this information to licensees and applicants if such disclosure is necessary to assure that the public health and safety is adequately protected.

If there is a need to consider the public disclosure of Cynga's proprietary material identified in this letter, it is our intention that Cynga would be notified prior to making a disclosure determination and that such a determination would be made in accordance with the procedures and conditions of 10 CFR Part 9, Subpart A. Lastly, when final topical reports are approved, or should Cynga employ the data contained in the topical reports as part of any license application or any other action identified in 10 CFR 2.790(a), such

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OFC	: WMEG	: WMEG	: WMEG	:	:	:	:
NAME	: GRoles	: TJohnson	: JGreeves	:	:	:	:
DATE	: 06/19/85	: 06/19/85	: 06/20/85	:	:	:	:

data shall be separately submitted and such submittal shall include an application for withholding accompanied by an affidavit meeting the requirements of 10 CFR 2.790(b). This formal submittal will also include non-proprietary versions of the final topical reports.

We hope that the provisions set forth in this letter for control of this information are acceptable to you.

Sincerely,

ORIGINAL SIGNED BY
John T. Greeves

John T. Greeves, Chief
Engineering Branch
Division of Waste Management

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