

February 5, 1993

Project No. 679

Mr. A.D. Hink
Vice President/General Manager
AECL Technologies
9210 Corporate Boulevard, Suite 410
Rockville, Maryland 20850

Dear Mr. Hink:

SUBJECT: SUBMITTAL OF PROPRIETARY INFORMATION TO THE NRC

By letters dated January 14, and January 20, 1993, Clara Greco of AECL-CANDU submitted two proprietary documents to the NRC. Neither of these letters contained a request to withhold the information from public disclosure or an affidavit supporting such a request. This letter clarifies the NRC's regulations regarding the submittal of proprietary information.

Section 2.720(b)(1) of Title 10 of the Code of Federal Regulations states:

"A person who proposes that a document or a part be withheld in whole or part from public disclosure on the ground that it contains trade secrets or privileged or confidential commercial or financial information shall submit an application for withholding accompanied by an affidavit..."

This section requires that an application for withholding accompanied by an affidavit be submitted each time a request for withholding is submitted. A previous affidavit cannot be used for later submittals. Each application and affidavit should clearly reflect the document or part sought to be withheld.

This letter requests that you resubmit your letters of January 14 and January 20, 1993, with the appropriate application for withholding accompanied by an affidavit. If you have any questions regarding this letter, please contact me at 301-504-1140.

The reporting and/or recordkeeping requirements contained in this letter affect fewer than ten respondents; therefore, OMB clearance is not required under P.L. 96-511.

Sincerely,

Original Signed By:

Janet L. Kennedy, Project Manager
Advanced Reactors Project Directorate
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and License Renewal
Office of Nuclear Reactor Regulation

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cc: Louis N. Rib, Licensing Consultant
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