

October 18, 1996

Mr. Ronald Martone
Manager of Regulatory Affairs
Picker International
595 Miner Road
Cleveland, OH 44143

Dear Mr. Martone:

This is in reference to your affidavit dated August 1, 1996, signed by James M. Fulton, in which Picker International requested that Addendums 2 and 5 of the application be withheld from public disclosure pursuant to 10 CFR 2.790.

Section 2.790(b)(1) of 10 CFR Part 2 requires that each supporting application be accompanied by an affidavit that contains a full statement of the reasons on the basis of which it is claimed that the information should be withheld from public disclosure. The section further states that the Commission will consider whether the information is of a type customarily held in confidence by the applicant.

Your affidavit has been reviewed in light of the aforementioned paragraphs of the regulations. It was found that the affidavit does not provide adequate justification for withholding the information from public disclosure. Specifically, much of the information that is contained in the two Addendums: (1) is not information that would not be easily obtained by a user upon a visual inspection of the device; (2) does not detail any unique manufacturing processes; and (3) does not detail any unique assembly methods. Consequently, we conclude that the information referenced in the letter is not proprietary and will not be withheld from public disclosure.

In accordance with 10 CFR 2.790(c), the information sought to be withheld will be placed in the Commission's Public Document Room unless you provide the Commission with an amended affidavit which meets the requirements of 10 CFR 2.790(b) within 30 days of the date of this letter. If an amended affidavit is planned, it is recommended that the scope of what is requested to be kept proprietary be narrowed to information that meets the criteria mentioned above. A second set of engineering drawings may be submitted which has those that are requested to be kept proprietary marked accordingly.

If you have any questions, please contact Mr. Brian Smith of my staff at (301) 415-5723.

Sincerely,
Original Signed By: Steven L. Baggett, Section Leader
Steven L. Baggett Sealed Source Safety Section
Medical, Academic, and Commercial
Use Safety Branch
Division of Industrial and
Medical Nuclear Safety
Office of Nuclear Material Safety
and Safeguards

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