



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

November 19, 1976

40-3453

Gentlemen:

In accordance with recent revisions of 10 CFR Part 2, Section 2.790 (copy enclosed), our requirements regarding application for withholding proprietary data from public disclosure have changed.

When submitting a license application, if you plan to request that information be withheld from public disclosure on the ground that it contains trade secrets or privileged or confidential commercial or financial information, you should segregate that portion of the license application which contains the proprietary information from the remainder, and submit the application in two parts. The license application, including the part for withholding, should be accompanied by an affidavit. The request for withholding and affidavit must be submitted when the information is filed. The affidavit should (1) identify the document sought to be withheld and the position of the person making the affidavit, and (2) contain a full statement of the reasons and bases on which the withholding is claimed. The statement should address specifically the considerations listed below:

1. Whether the information has been held in confidence by its owner.
2. Whether the information is of a type customarily held in confidence by its owner and whether there is a rational basis therefor.
3. Whether the information was transmitted to and received by the Commission in confidence.
4. Whether the information is available in public sources.
5. Whether public disclosure of the information sought to be withheld is likely to cause substantial harm to the competitive position of the owner of the information, taking into account the value of the information to the owner; the amount of effort or money, if any, expended by the owner in developing the information; and the ease or difficulty with which the information could be properly acquired or duplicated by others.

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C PDR

FROM

Atlas Minerals

DATE OF DOCUMENT

Dec. 9, 1976

DATE RECEIVED

Dec. 15, 1976

NO.

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LTR

MEMO

REPORT

OTHER

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TO

ORIG

CC

OTHER

Ross Scarano

ACTION NECESSARY

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CONCURRENCE

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DATE ANSWERED

NO ACTION NECESSARY

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COMMENT

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BY

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POST OFFICE

REG. NO.

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40-3453

DESCRIPTION (Must Be Unclassified)

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ENCLOSURES

Response to NRC Queries of Oct. 28,  
1976

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REMARKS

*In rpto folder*

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U S NUCLEAR REGULATORY COMMISSION

MAIL CONTROL FORM

FORM NRC-3265  
(6-76)