

September 14, 2011

Mr. James F. Hughes, Contracts  
Negotiation Senior Manager  
Nuclear Systems and Solutions  
Lockheed Martin Corporation  
459 Kennedy Drive  
Archbald, PA 18403

SUBJECT: LOCKHEED MARTIN CORPORATION, REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE (TAC NO. ME2495)

Dear Mr. Hughes:

By the two letters dated June 28, 2011 (Agencywide Documents Access and Management System Package Accession No. ML112010701), Lockheed Martin Corporation (Lockheed Martin), Nuclear Systems and Solutions (NS&S) submitted an affidavit dated June 28, 2011, executed by you, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

1. Topical Report NuPACED610000-47-P, Revision -, "Generic Qualification of the NuPAC Platform for Safety-related Applications (Proprietary)."
2. Supporting Documentation for Topical Report NuPACED610000-47-P, Revision -, "Generic Qualification of the NuPAC Platform for Safety-related Applications (Proprietary)."

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) whose use by any of NS&S's competitors, without a license from NS&S constitutes a competitive economic disadvantage to NS&S....
- (b) Use by a competitor of the information would reduce the competitor's expenditure of resources, or improve its competitive position, in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product....
- (c) The information reveals cost or price information, production capacities, budget levels, or commercial strategies of NS&S and its suppliers....
- (d) The information requested to be withheld reveals aspects of Lockheed Martin-funded development plans and programs of commercial value to NS&S....

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

J. Hughes

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Therefore, the Lockheed Martin Document CN0111057 marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-8480.

Sincerely,

**/RA/**

Andrew L. Hon, Project Manager  
Licensing Processes Branch  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

Project No. 780

J. Hughes

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**/RA/**

Andrew L. Hon, Project Manager  
Licensing Processes Branch  
Division of Policy and Rulemaking  
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Project No. 780

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**ADAMS ACCESSION NO.: ML112550102**

**NRR-084**

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