

May 30, 2012

Richard Kuntz
Quality Assurance Manager
SPX, Copes-Vulcan
5620 West Road
McKean, PA 16426-1504

SUBJECT: NRC DENIAL OF SPX'S REQUEST FOR WITHHOLDING INFORMATION
FROM PUBLIC DISCLOSURE

Dear Mr. Kuntz:

By your affidavit dated April 30, 2012, you requested that portions of the NRC Inspection Report NO. 99900080/2012-201 and Notice of Nonconformance be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. Under this regulation, the NRC must make an independent review and determine whether the record, or any portions thereof, may be withheld.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure because the release of this information will cause substantial harm to the competitive position and advantage that has been derived from research and development in the design and manufacture of the pyrotechnically actuated squib valves by SPX.

We have reviewed your application and all of the supporting information in accordance with the requirements of 10 CFR 2.390 and have concluded that you have not provided sufficient justification for us to determine that the information sought to be withheld from public disclosure contains proprietary, confidential commercial or financial information. Furthermore, the information you seek to be withheld from mandatory public disclosure is already publicly available as discussed in a telephone call on Thursday, May 3, 2012. As you acknowledged during that call, we have provided you with links to public websites where this information can be found.

Accordingly, we have concluded that the information sought to be withheld from public disclosure does not meet the requirements of 10 CFR 2.390. Therefore, your request to withhold portions of the NRC Inspection Report NO. 99900080/2012-201 and Notice of Nonconformance from public disclosure is denied.

R. Kuntz

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Within 10 days from the date of this letter, the subject document will be released through the NRC's Public Document Room (PDR) or through the NRC's Agencywide Documents Access and Management System, accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions regarding this matter, I may be reached at 301-415-1973.

Sincerely,

/RA/

Edward H. Roach, Chief
Construction Mechanical Vendor Branch
Division of Construction Inspection
and Operational Programs
Office of New Reactors

Docket No.: 99900080

R. Kuntz

-2-

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NRO-002

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