June 8, 2012

James M. Bleigh
Performance Contracting, Inc.
Engineered Systems Group
16047 West 110th Street
Lenexa, KS 66219

SUBJECT: PERFORMANCE CONTRACTING, INC., APRIL 11, 2012, REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Bleigh:

By letter dated April 11, 2012, you submitted an affidavit dated April 11, 2012, 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) Section 2.390:

> PCI Document No. PCI-2012.04.11, Rev 0, "Flume & Plant Turbulence," dated April 11, 2012, prepared by Alden Research Laboratory, Inc.

The affidavit states that this information should be considered exempt from mandatory public disclosure because it is:

a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by Performance Contracting, Inc.'s competitors without license from Performance Contracting, Inc. constitutes a competitive economic advantage over other companies.

b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

We have reviewed your application and the document in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the April 11, 2012, affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the document listed above 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 document. 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 Nuclear Regulatory Commission (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, please contact me at 301-415-1380.

Sincerely,

/RA/

Blake Purnell, Project Manager
Generic Communications Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

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Office of Nuclear Reactor Regulation

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