



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**

Office of Federal and State Materials and  
Environmental Management Programs  
WASHINGTON, DC 20555 - 0001

August 22, 2013

Jeffrey R. Johanning  
Sr. Health Physicist /RSO  
SAIC  
10740 Thornmint Road  
San Diego, California 92127

**SUBJECT: NRC REQUEST FOR ADDITIONAL INFORMATION TO CONSIDER SAIC  
REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE**

Dear Mr. Johanning:

In your response to our request for additional information (RAI) dated July 15, 2013, SAIC submitted a letter dated August 14, 2013, signed by Gary Jongeward, you requested that the appropriate portions marked as "Withhold from Public Disclosure Under 10 CFR 2.390 for Law Enforcement and Company Confidential Purposes" of your response to our RAI be withheld from public disclosure pursuant to 10 CFR 2.390(a)(4) and (a)(7)(v).

Staff reviewed the request in accordance with the requirements set forth in 10 CFR 2.390, and determined that the information cannot be withheld under 10 CFR 2.390(a)(7)(v). This material does not qualify as information that would disclose techniques and procedures for law enforcement investigations or prosecutions or would disclose guidelines for law enforcement or prosecutions.

SAIC also requested to withhold the information under 10 CFR 2.390(a)(4), however SAIC did not address the criteria under 2.390(b)(4), which are the requirements for anyone submitting a document to the NRC who seeks to have a document or portions of it withheld from public disclosure because it contains trade secret, privileged or confidential commercial or financial information. If you want this information to be withheld from public disclosure under 10 CFR 2.390(a)(4), you should submit an affidavit as required under 10 CFR 2.390(b)(1) and address the five withholding criteria set forth in 10 CFR 2.390(b)(4)(i) through (v).

In accordance with 10 CFR 2.390(c), the information sought to be withheld will be placed in the Commission's Public Document Room 30 days after your receipt of this letter unless you either seek to withdraw the information requested to be withheld or provide the Nuclear Regulatory Commission with an affidavit meeting the requirements set forth in 10 CFR 2.390(b). If SAIC

request that the information be withdrawn, your request will be considered in light of applicable statutes and regulations and a determination made whether the documents will be withheld from public disclosure and returned to you.

If you have any questions, please contact me at (301) 415-6026, or e-mail [Maria.Arribas-Colon@nrc.gov](mailto:Maria.Arribas-Colon@nrc.gov).

Sincerely,

**/RA/**

Maria Arribas-Colon, Project Manager  
Licensing Branch  
Division of Materials Safety and  
State Agreements  
Office of Federal and State Materials and  
Environmental Management Programs

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Sincerely,

**/RA/**

Maria Arribas-Colon, Project Manager  
Licensing Branch  
Division of Materials Safety and  
State Agreements  
Office of Federal and State Materials and  
Environmental Management Programs

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**R. Jones, Fees            MSSA TA**

**LETTER: ML13234A168    SSD 13-18**

<b>OFFICE</b>	LB/MSSA	LB/MSSA	LB/MSSA
<b>NAME</b>	MArribas-Colon	JJankovich	MKotzalas
<b>DATE</b>	8/22/13	8/22/13	8/22/13

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