

February 1, 2016

Mr. Patrick Troy
Program Licensing Manager
Lockheed Martin Missiles and Fire Control
459 Kennedy Drive
Archibald, PA 18403

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE OF LOCKHEED MARTIN NOVEMBER 18, 2015, AND DECEMBER 2, 2015, SUBMITTALS OF REVISED LOCKHEED MARTIN NuPAC SUPPORTING DOCUMENTATION (TAC NO. ME7900)

Dear Mr. Troy:

By letters dated November 18, 2015, and December 2, 2015 (Agencywide Documents Access and Management System Accession No. ML15328A278 and ML15343A293), you submitted affidavits dated November 18, 2015, and November 30, 2015, requesting that the information contained in the following documents be withheld from public disclosure under Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390, "Hearing Requests, Petitions To Intervene, Requirements for Standing, and Conditions."

NuPAC_SP610000-001, Rev A, "NuPAC Platform Safety Project Plan, and PRO41411-TP-15, "Test Procedure for Seismic Testing of Two 19" NuPAC Card Racks."

Your letter stated that Lockheed Martin did not plan to submit nonproprietary versions of the documents. The basis given was that, because of the extensive amount of proprietary information in the document, nonproprietary versions would be of no value to the public.

You detailed the reasons for withholding the information in your affidavits.

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed your application and the statements in your affidavit, as well as the material, in accordance with the requirements of 10 CFR 2.390, and has determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure under 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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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, the agency may send copies of this information to its consultants working in this area. The NRC staff 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 staff.

You also should understand that the NRC staff 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 can be reached at 301-415-7297 or via e-mail at Joseph.Holonich@nrc.gov.

Sincerely,

/RA/

Joseph J. Holonich, Senior Project Manager
Licensing Processes Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Project No. 780

P. Troy

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/RA/

Joseph J. Holonich, Senior Project Manager
Licensing Processes Branch
Division of Policy and Rulemaking
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NRR-106

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