

August 24, 2016

Jack Rosentel  
Program Technical Licensing Manager  
Lockheed Martin  
459 Kennedy Boulevard  
Archbald, PA 18403

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
OF LOCKHEED MARTIN JULY 27, 2016, SUBMITTAL (TAC NO. ME7900)

Dear Mr. Rosentel:

By letter dated July 27, 2016 (Agencywide Documents Access and Management System Accession Package No. ML16216A158), Lockheed Martin submitted an affidavit executed by you also dated July 27, 2016, 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\_ED610000-063, "Programmable Logic Failure Modes and Effects Analysis (FMEA) Report."

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

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

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(s) 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.

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.

J. Rosentel

- 2 -

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](mailto: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

J. Rosentel

- 2 -

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**ADAMS Accession No.: ML16214A055; \*concurred via e-mail**

**NRR-106**

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<b>NAME</b>	JHolonich	DHarrison	MWaters (RStattel for)	KHsueh	JHolonich
<b>DATE</b>	08/10/2016	08/13/2016	08/18/2016	08/23/2016	08/24/2016

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