

October 4, 2016

Michael G. Lenio, Director of Quality
ASCO Valve, Inc.
1561 Columbia Hwy N
Aiken, SC 29801

SUBJECT: NUCLEAR REGULATORY COMMISSION APPROVAL OF ASCO VALVE, INC.
REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Lenio:

By letter dated September 27, 2016, you submitted an affidavit dated September 1, 2016, executed by yourself, 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), Part 2, Section 2.390:

REPLY TO NOTICE OF NONCONFORMANCE ASCO VALVE, INC., DOCKET
NO. 99901054 VENDOR INSPECTION REPORT 99901054/2016-201

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by ASCO.
- (ii) The information is of a type customary held in confidence by ASCO and not customarily disclosed to the public. ASCO has a rational basis for determining the types of information customary held in confidence by it and, in that connection, utilizes a system to determine when and the substance of that system constitute ASCO policy and provide the rational basis required.
- (iii) The information is being transmitted to the Commission in confidence, under the provisions of 10 CFR 2.390, it is to be received in confidence by the Commission.
- (iv) This information is not readily available in public sources.
- (v) Public disclosure of this proprietary information is likely to cause substantial harm to ASCO's competitive position, because it would enhance the ability of competitors to provide similar equipment without the investment made by ASCO to qualify that equipment at considerable expense to ASCO and has significant value.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, Attachment 1 from the above mentioned letter, ML16273A278, pages 2-5, marked as proprietary, 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. The public version of the above mentioned letter will be available under ML16273A277.

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, 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, I may be reached at 301-415-3215.

Sincerely,

/RA/

Richard P. McIntyre, Acting Chief
Quality Assurance Vendor Inspection Branch-2
Division of Construction Inspection
and Operational Programs
Office of New Reactors

Docket No: 99901054

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, 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, I may be reached at 301-415-3215.

Sincerely,

/RA/

Richard P. McIntyre, Acting Chief
Quality Assurance Vendor Inspection Branch-2
Division of Construction Inspection
and Operational Programs
Office of New Reactors

Docket No: 99901054

DISTRIBUTION:

ASakadales
KKavanagh
TJackson
ABelen
Mike.lenio@emerson.com

ADAMS Accession No.: ML16273A097

NRO-002

OFC	NRO/DCIP/QVIB-2	OGC/GCLR/LCLSP	NRO/DCIP/QVIB-2
NAME	ETorres	JSuttenberg*	RMcIntyre
DATE	09/30/16	09/30/16	10/03/16

OFFICIAL RECORD COPY