

March 7, 2017

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 DECEMBER 14, 2016, SUBMITTAL (TAC NO. ME7900)

Dear Mr. Rosentel:

By letter dated December 14, 2016 (ADAMS Accession No. ML16363A173), Lockheed Martin Nuclear Systems and Solutions (LMNSS) provided "Submittal of Comments and Proprietary Information Identification on Draft Safety Evaluation Report of 'Generic Qualification of the NuPAC Platform for Safety-related Applications (Proprietary)', NuPAC_ED610000-047-P, Revision E." The LMNSS letter provided an affidavit executed by you also dated December 14, 2016. The affidavit requested that the information contained in the submittal 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."

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.

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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 staff 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

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