

Kowalski



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

June 6, 2001

Richard M. Bartosik
Manager, Licensing
BXW Technologies, Inc.
P.O. Box 355
Vandergrift, PA 15690

SUBJECT: PUBLIC DISCLOSURE DETERMINATION

I am responding to your letter and affidavit dated May 15, 2001, requesting that a decommissioning cost estimate for the Parks Facilities Decommissioning Project be withheld from public disclosure pursuant to 10 CFR 2.790(a)(4) of the Commission's regulations.

We have reviewed your application and all the supporting information in accordance with the requirements of 10 CFR 2.790 and have concluded that you have not provided sufficient justification for us to determine that the information sought to be withheld from public disclosure contains trade secret, proprietary, or confidential commercial or financial information.


Pursuant to 10 CFR 2.790(b)(1)(ii), the affidavit accompanying the application must contain "a full statement of the reasons on the basis of which it is claimed that the information should be withheld from public disclosure." In addition, "Such statement shall address with specificity the considerations listed in [10 CFR 2.790(b)(4)]." Your affidavit did not provide a full statement of the reasons on the basis of which the claim was made, nor did it address the considerations of 10 CFR 2.790(b)(4).

Accordingly, we have concluded that the information sought to be withheld from public disclosure does not meet the requirements of 10 CFR 2.790. Therefore, your request to withhold the decommissioning cost estimate for the Parks Facilities Decommissioning Project from public disclosure is denied.

B/CO

Within thirty (30) days from the date of this letter, the subject documents will be made available at the NRC web site, <http://www.nrc.gov>. If, within thirty (30) days of the date of this letter, you request withdrawal of the documents in accordance with 10 CFR 2.790(c), the documents will not be made available at the web site and will be returned to you. If, within thirty (30) days of the date of this letter, additional information is provided in accordance with 10 CFR 2.790(b)(1)(i) and (ii), 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.

Sincerely,



Larry W. Camper, Chief
Decommissioning Branch
Office of Nuclear Material Safety
and Safeguards

Within thirty (30) days from the date of this letter, the subject documents will be made available at the NRC web site, <http://www.nrc.gov>. If, within thirty (30) days of the date of this letter, you request withdrawal of the documents in accordance with 10 CFR 2.790(c), the documents will not be made available at the web site and will be returned to you. If, within thirty (30) days of the date of this letter, additional information is provided in accordance with 10 CFR 2.790(b)(1)(i) and (ii), 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.

Sincerely,

Larry W. Camper, Chief
Decommissioning Branch
Office of Nuclear Material Safety
and Safeguards

This document should should not be made available to the PUBLIC TLF / /01

AN: ML- 011440500

Template No.: NMSS/RGN Materials-001

DISTRIBUTION: PDR DCB r/f NMSS r/f Reamer A.Kouhestani

DOCUMENT NAME: C:\MYFILES\Checkout\BWXT 2.790.wpd

OFC	DCB	C	DCB	OGC	DCB
NAME	TFredrichs	RF	RNelson	MPSiemen	LCamper
DATE	5/30/01	6/5/01	6/14/01	6/16/01	

OFFICIAL RECORD COPY