

August 4, 2005

Mr. James E. Nelson
Crane Product Manager
PaR Nuclear, Inc.
P.O. Box 24708
Seattle, WA 98124-0708

SUBJECT: PAR NUCLEAR, INC., REQUEST FOR WITHHOLDING INFORMATION FROM
PUBLIC DISCLOSURE FOR INDIAN POINT NUCLEAR GENERATING UNIT
NO. 2 (TAC NO. MC5036)

Dear Mr. Nelson:

By letter dated April 12, 2005, Entergy Nuclear Operations, Inc. submitted to the Nuclear Regulatory Commission (NRC) an affidavit with cover letter (reference letter F2725T43) dated April 1, 2005, in which you requested that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

1. Ederer, LLC, Drawing Number D-43849, sheet 2 of 4, Revision A, Gantry Assembly [Crane], dated January 25, 2005.
2. Ederer, LLC, Drawing Number PA-2389, Design Coordination Drawing Unit 2, Revision D, dated February 26, 2004.

Your affidavit states that Ederer, LLC, is a division of PaR Nuclear, Inc. (PaR Nuclear), and that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The information sought to be withheld from public disclosure is owned and has been held in confidence by PaR Nuclear. It consists of specific and unique design details and apparatus for meeting the operational and dimensional constraints of a facility while incorporating certain NRC safety guidelines. This information is of important competitive commercial value.
2. The information is of a type customarily held in confidence by PaR Nuclear and not customarily disclosed to the public. PaR Nuclear has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence.
3. The information, to the best of my knowledge and belief, has consistently been held in confidence by PaR Nuclear, no public disclosure has been made, and it is not available in public sources. Any disclosure to third parties has been made pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence.

4. Public disclosure of the information is likely to cause substantial harm to the competitive position of PaR Nuclear because:
 - a. Cranes for the same purposes in nuclear plants, with similar design features except for the particularly advantageous features depicted in the subject documents, are offered by several competitors.
 - b. Development of the apparatus described in the information cost PaR Nuclear hundreds of thousands of dollars and many thousands of man-hours of effort. A competitor would have to undertake a similar effort to develop an equivalent system without the information.
 - c. The availability of the information to competitors would enable them to modify their products to better compete with PaR Nuclear, to take marketing actions to improve their products' position or impair the position of PaR Nuclear's product.
 - d. Use of the information by competitors in the international marketplace would increase their ability to compete with PaR Nuclear for similar applications and have an adverse economic impact on PaR Nuclear's ability to obtain and maintain foreign licenses.

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

Therefore, the two drawings listed above 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.

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 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.

J. Nelson

- 3 -

If you have any questions regarding this matter, I may be reached at 301-415-2901.

Sincerely,

/RA/

John P. Boska, Senior Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-247

cc: See next page

J. Nelson

- 3 -

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DATE	8/03/05	8/03/05	8/04/05	8/04/05

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Indian Point Nuclear Generating Unit No. 2

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Indian Point Nuclear Generating Unit No. 2

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