



OFFICE OF THE
SECRETARY

DuWoods
UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

November 27, 1989

Mr. Shigeki Okutsu
Secretary General
The Citizens Movement for Public
Access to Information
504 Parkside Yamaguchi 2-4-3 Hongo
Bunkyo-ku Tokyo 113
Japan

Dear Mr. Okutsu:

This letter responds to your September 18, 1989 appeal of the agency's denial of portions of the documents identified on Appendix C in our July 28, 1989 response to FOIA 89-143.

In response to your appeal, the withheld information was again reviewed. On the basis of this review, I affirm the agency's action in this matter.

The information that has been withheld consists of confidential commercial information relating to the design, condition and operation of various components of nuclear power reactors in your country. The confidential information was submitted to the agency on the condition that it not be released to the public. Moreover, because release of this information could harm the competitive position of the submitter and impair the agency's ability to acquire this information in the future, it was properly withheld under Exemption 4 of the Freedom of Information Act, 5 U.S.C. § 552(b)(4). We suggest that you attempt to obtain this information directly from the submitter.

This letter represents final agency action on your September 18, 1989 appeal. Judicial review of the denial of this information is available in Federal district court in the district in which you reside or have a principal place of business (if you have an American residence or business) or in the District of Columbia.

Sincerely,

Samuel J. Chilk
Secretary of the Commission

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