



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

July 11, 1991

Docket No. 99900031
EA-90-122

Ulrich Bolleter, Ph.D.
Chief Executive Officer
Sulzer Bingham Pumps, Inc.
Portland Pump Division
P.O. Box 10247
Portland, Oregon 97210

Dear Dr. Bolleter:

SUBJECT: APPLICATION AND AFFIDAVIT IN SUPPORT OF WITHHOLDING
DOCUMENTS AND RECORDS FROM PUBLIC DISCLOSURE
(NRC INSPECTION REPORT No. 99900031/90-01)

We have been advised by Sulzer Bingham Pumps, Inc.'s (SBPI's) attorney, Claudia K. Powers, Esq., that SBPI has chosen not to provide additional information, or bracket specific language to be withheld, to support its affidavit, dated December 18, 1990. Ms. Powers' statements were made during a telephone conversation with Mr. Steven M. Matthews of this office on May 6, 1991.

SBPI's affidavit requested that certain documents and records submitted to the Nuclear Regulatory Commission (NRC) in conjunction with SBPI's correspondence, dated October 11, 1990, (Reply), which responded to the Notice of Violation and the Notice of Nonconformance, be withheld from public disclosure, pursuant to Section 2.790 of Title 10 of the Code of Federal Regulations (10 CFR). The NRC notified SBPI in correspondence, dated April 5, 1991, that the affidavit did not provide a sufficient basis for withholding the documents and records in their entirety from public disclosure and provided SBPI with an opportunity, to be acted upon within 10 days from the date of the letter, to either (1) provide additional information to support SBPI's withholding request or take other steps as SBPI deemed appropriate, or (2) identify portions of the documents and records considered withholdable, pursuant to Section 2.790 of 10 CFR, such as in-process costs or design calculation information, by "bracketing" the specific language to be withheld.

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Ulrich Bolleter, Ph.D.

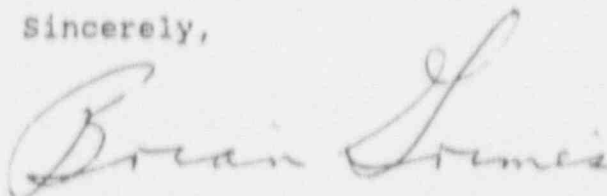
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In view of Ms. Powers' statement during the May 6, 1991, telephone call, the SBPI Reply and associated documents and records submitted with the Reply will not be considered privileged, confidential, proprietary commercial or financial information, nor trade secrets. The SBPI Reply and associated documents and records will be placed in the NRC's Public Document Room, pursuant to the requirements of 10 CFR 2.790(a).

In accordance with 10 CFR 2.790(a), a copy of this letter will be placed in the NRC's Public Document Room.

If you have any questions concerning this matter, we will be pleased to discuss them with you.

Sincerely,

A handwritten signature in cursive script that reads "Brian Grimes". The signature is written in dark ink and is positioned above the typed name and title.

Brian K. Grimes, Director
Division of Reactor Inspection
and Safeguards
Office of Nuclear Reactor
Regulation