

DMB-016

Docket No. 50-289

NOV 9 1983

Mr. John E. Wilson  
Foster Wheeler Energy Corporation  
110 South Orange Avenue  
Livingston, New Jersey 07039

Dear Mr. Wilson:

SUBJECT: APPLICATION FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

By letter dated December 27, 1982, you submitted certain information pertaining to the TH1-1 steam generator repair program. In that letter, you state that the subject information had been previously provided to the NRC on or about July 21, 1982. You requested that the information be withheld from public disclosure pursuant to 10 CFR Section 2.790. The withholding request is supported by affidavits signed by Mr. Ernest L. Daman and Mr. Henry Phillips of Foster Wheeler dated November 11, 1982 and November 2, 1982, respectively.

Foster Wheeler maintains that the documents contain information of the type customarily held in confidence by them and that such information is not available in open literature and is not known by potential competitors. Foster Wheeler believes that disclosure of this information would reduce the expenditure of their competitors and, thus, would harm their competitive position.

We have reviewed the application and related material based on the requirements and criteria of 10 CFR 2.790 and have determined that the material contains proprietary commercial information.

We have also found at this time that the right of the public to be fully apprised as to the bases for and effects of the proposed action does not outweigh the demonstrated concern for protection of Foster Wheeler's competitive position. Accordingly, we have determined that the applicable information should be withheld from public disclosure.

We, therefore, approve the request for withholding pursuant to Section 2.790 of 10 CFR Part 2 and are withholding from public inspection the above mentioned material.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the document. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, assure that the consultants have signed the appropriate agreements for handling proprietary data.

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PDR ADDCK 05000289  
PDR

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DATE						

Mr. Henry D. Hukill

- 2 -

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.

Sincerely,

~~Respectfully signed by~~

John F. Stolz, Chief  
Operating Reactors Branch #4  
Dividing of Licensing

CC:

See next page

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