

APR 27 1989

Docket No. 40-8027
License No. SUB-1010

Sequoyah Fuels Corporation
ATTN: Mr. Scott Knight
General Manager
P.O. Box 610
Gore, Oklahoma 74435

Gentlemen:

By letter dated October 7, 1988, Sequoyah Holding Corporation (SHC) committed to submit financial statements for itself and Sequoyah Fuels Corporation (SFC) within 90 days of December 31, 1988. By letter and affidavit dated March 28, 1989, Sequoyah Fuels Corporation submitted financial statements for SFC and SHC in response to this commitment and requested that the statements be withheld from public disclosure pursuant to 10 CFR 2.790.

SFC stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The subject documents constitute confidential financial information of privately held corporations, have been held in confidence by SFC and SHC, and are customarily held in such confidence;
2. This information is not available in public sources, and SFC is transmitting it to the NRC in confidence; and
3. The confidential information, if disclosed, would create substantial harm to SFC and SHC by providing detailed financial information to competitors and other parties whose interests may be adverse to SFC and SHC.

We have reviewed your request and financial statements based on the requirements and criteria of 10 CFR 2.790 and determined that the information contained in the statements describes the financial positions of SFC and SHC. This type of financial information is customarily held in confidence so as to protect the licensee's competitive position. Therefore, the staff considers that the release of this information would cause substantial harm to the domestic and international competitive position of SFC and SHC.

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Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If in the future, the basis for withholding this information from public inspection should change such that the information could then be made available for public inspection, SFC should promptly notify the NRC. SFC should also understand that the NRC may have cause to review this determination in the future, such as 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, SFC will be notified in advance of any public disclosure.

Sincerely,

for Sean L. Sjoblom
 Richard E. Cunningham, Director
 Division of Industrial and
 Medical Nuclear Safety, NMSS

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