

May 8, 2001

Dr. Keith E. Asmussen  
Director, Licensing, Safety  
and Nuclear Compliance  
General Atomics  
P.O. Box 85608  
San Diego, CA 92186-9784

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC  
DISCLOSURE - GENERAL ATOMICS

Dear Dr. Asmussen:

By letter dated March 30, 2001, you submitted the March 30, 2001, affidavit of John E. Jones, Secretary and Treasurer of General Atomics Technologies Corporation (GATC), along with the enclosed documents, "General Atomic Technologies Corporation, Report and Consolidated Financial Statements, December 31, 2000 and 1999," and "General Atomic Technologies Corporation, Report on Agreed-Upon Procedures, March 27, 2001." It was requested that these enclosures be withheld from public disclosure pursuant to 10 CFR 2.790.

The affidavit stated 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 GATC.
2. The information constitutes confidential financial information of a privately-held corporation and is of a type customarily held in confidence by GATC.
3. The information is not available in public sources.
4. Public disclosure of the information would cause substantial harm to GATC by providing detailed financial information to its competitors and other parties whose interest may be adverse to GATC.

We have reviewed the affidavit and the material in accordance with the requirements and criteria of 10 CFR 2.790 and, on the basis of GATC's statement, have determined that the submitted information sought to be withheld contains proprietary commercial information.

Therefore, the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the rights, 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 information, General Atomics should promptly notify the NRC. General Atomics 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 this information. In all review situations, if the NRC makes a determination adverse to the above, General Atomics will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-1127.

Sincerely,

*/RA/*

Alexander Adams, Jr., Senior Project Manager  
Events Assessment, Generic Communications and  
Non-Power Reactors Branch  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket Nos. 50-89 and 50-163

cc: Please see next page

General Atomics

Docket No. 50-89/163

cc:

Mr. Steve Hsu  
Radiologic Health Branch  
State Department of Health Service  
P.O. Box 942732  
Sacramento, CA 94234-7320

Mr. B.M. Murray  
Vallecitos Nuclear Center  
General Electric Company  
6705 Vallecitos Road  
Sunol, CA 94586

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