



71-9226

December 9, 2004
SHP-3825

Mr. Jose Cuadrado
MS O-13D13
OWFN
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Subject: USNRC Public Meeting No. 2007-0718, "GA-4 Transport Pkg/071-09226," Request to Withhold Certain Information From Public Disclosure Under 10CFR2.390

Dear Mr. Cuadrado:

General Atomics (GA) is the holder of USNRC Certificate of Compliance 71-9226 for its GA-4 Legal Weight Truck spent fuel transportation cask. GA has requested, through Mr. William Brach (Director of the Spent Fuel Project Office, NMSS), and been granted, a Category 1 meeting with NRC staff to discuss GA's current transportation cask activities and future licensing plans for its spent nuclear fuel transportation casks.

GA's presentation will include, in addition to its transportation cask activities with truck casks, information about rail casks designed and manufactured by Mitsubishi Heavy Industries (MHI). GA, under an agreement with MHI, is considering an application for NRC licensing action on MHI rail casks to meet the needs of the Yucca Mountain Geological Repository spent fuel transportation program.

As part of its rail cask design, development, and licensing activities, MHI is in the process of conducting testing in Germany on full-size casks and sub-scale models in support of cask licensing in Germany. These tests, being conducted to show that these casks meet IAEA TS-R-1 regulations, are presently in progress. GA believes this data has direct applicability to future NRC licensing for these casks in the U.S., and hence would be of interest to SFPO and NRR staff involved with cask licensing activities. GA would, therefore, like to have the opportunity to present currently available, quantitative test data to NRC staff as a separate part of the subject meeting.

GA considers that this data is a key element of the licensing process for such casks, which is not available through public sources. Public disclosure of this data, which is a key element of the supporting data for a future licensing application, would provide certain technical information to competitors and other parties whose interest may be adverse to the interests of GA and the cask designer/fabricator, MHI.

Accordingly, as set forth in the enclosed affidavit of Mr. J. E. Jones, GA requests that the quantitative test information on MHI's spent fuel rail casks be treated as proprietary information under the provisions of 10 CFR 2.390.

If you should have any questions regarding this submittal, please do not hesitate to contact Dr. Junaid Razvi at (858) 455-3155, or me at (858) 455-2823.

Very truly yours,

A handwritten signature in black ink that reads "Keith E. Asmussen".

Keith E. Asmussen, Ph.D., Director
Licensing, Safety and Nuclear Compliance

Enclosure as stated

NMSS01

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

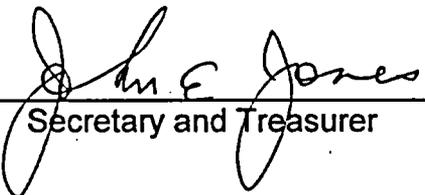
SS

AFFIDAVIT OF JOHN E. JONES

I, John E. Jones, Secretary and Treasurer of General Atomic Technologies Corporation, do hereby affirm and state:

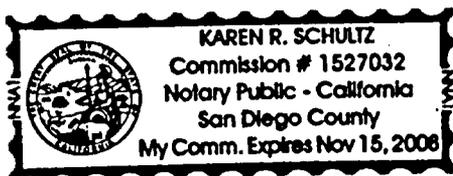
1. I am an officer of General Atomic Technologies Corporation, the parent company of General Atomics, and I am authorized to execute this affidavit on behalf of General Atomics.
2. The affidavit is submitted under the provisions of 10 CFR 2.390 in order to withhold certain technical information related to the testing of rail spent fuel casks from public disclosure or publication.
3. The information constitutes technical data of a privately-held corporation or its partners, which have been held in confidence by the owner, are customarily held in such confidence, and are not available in public sources. Public disclosure would create substantial harm to the owner by providing technical information to its competitors and other parties whose interest may be adverse to the owner.

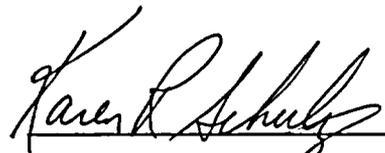
GENERAL ATOMIC TECHNOLOGIES CORPORATION


Secretary and Treasurer

SUBSCRIBED AND SWORN to before me this 9th day of December 2004

WITNESS my hand and official seal.




NOTARY PUBLIC