



September 17, 2008  
GEN-4231

Mr. Alexander Adams  
U.S. Nuclear Regulatory Commission  
Research and Test Reactors Branch A  
Office of Nuclear Reactor Regulation  
Mail Stop O12-G13  
One White Flint North  
11545 Rockville Pike  
Rockville, MD 20852-2738

**Subject:** General Atomics' Affidavit in Support of Request to Withhold Certain General Atomics' Proprietary Information from Public Disclosure.

**References:** 1) Oregon State University TRIGA Reactor (OSTR)  
Docket No. 50-243, License No. R-106  
Oregon State University Response to NRC RAI Dated June 20, 2008

2) Oregon State University TRIGA Reactor (OSTR)  
Docket No. 50-243, License No. R-106  
Steve Reese (OSTR) letter to Alexander Adams (NRC) dated August 22, 2008, "Affidavit Attesting to the Proprietary Information Submitted June 20, 2008"

Dear Mr. Adams:

By letter dated June 20, 2008, Oregon State University (OSU) submitted information to the U.S. Nuclear Regulatory Commission (NRC) in response to a Request for Additional Information (RAI) (Ref. 1). Attachment 2 to that letter contained proprietary information owned by General Atomics (GA). By letter dated August 22, 2008 and signed by Steve Reese, Director, Radiation Center, Oregon State University submitted an affidavit attesting that the information contained in Attachment 2 to Reference 1 was GA proprietary information and should be withheld from public disclosure per 10 CFR 2.390 (Ref. 2).

The purpose of this letter is to serve as an affidavit from GA attesting to the proprietary nature of the information contained in Attachment 2 to Reference 1. Attachment 2 was marked "Contains Proprietary Information Withhold from Public Disclosure per 10 CFR 2.390." As stated by OSU, the basis for the determination that the GA-owned proprietary information should be withheld from public disclosure is that it falls under 10 CFR 2.390(a)(4), i.e., "trade secrets and commercial or financial information obtained from a person and privileged or confidential."

If released, the GA-owned information would create substantial harm to GA by providing competitors and other parties whose interest may be adverse to GA with detailed technical trade secret and commercial information. GA has a very significant investment of resources over many years in the development of this information. This information has been held in confidence by GA and is of a type customarily held in confidence by its owner. The information was transmitted to the NRC in confidence and was marked accordingly. This information is not available from public sources.

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NRC

If you should have any questions regarding this submittal, please do not hesitate to contact me at (858) 455-2823 or at [keith.asmussen@gat.com](mailto:keith.asmussen@gat.com).

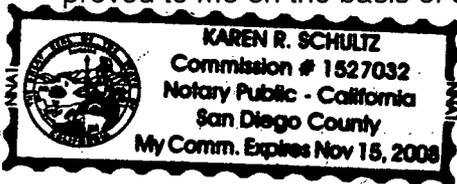
Very truly yours,



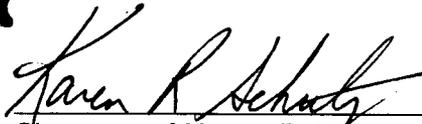
Keith E. Asmussen, Ph.D., Director  
Licensing, Safety and Nuclear Compliance

State of California  
County of San Diego

Subscribed and sworn to before me on this 17<sup>th</sup> day of September, 2008, by Keith E. Asmussen, proved to me on the basis of satisfactory evidence to be the person who appeared before me.



Seal

  
Signature of Notary Public

cc: Document Control, NRC  
Anthony Veca, GA