



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

June 16, 2009

Stephen Bindon, President
Trijicon, Inc.
P.O. Box 930059
49385 Shafer Ave.
Wixom, WI 48393-0059

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE, TRIJICON, INC. MODEL RMR SERIES

Dear Mr. Bindon:

Trijicon, Inc. submitted an amendment to the Nuclear Regulatory Commission's source registration NR-418-D-101-E dated October 1, 2008, and affidavits dated October 1, 2008, and March 20, 2009. Trijicon, Inc. has requested that the following documents be withheld from public disclosure pursuant to 10 CFR 2.390: 1) Attachment 1: MRD3056, 2) Attachment 2 Estimated Radiation Dose Commitments, 3) Attachment 3: Miniature Reflex Sight Model Listing, 4) Attachment 4: Miniature Reflex Sight Prototype Testing Report, 5) Attachment 6: Reflex Model Listing, 6) Attachment 8: Reflex Series Test Report, 7) Attachment 9: Advanced Radiation Monitoring Service Analysis Report, 8) Attachment 11: ARMS Report 9-30-08, 9) Attachment 12: TRF3273, 10) Attachment 2 Rev A - Estimated Radiation Dose Commitments, 11) Attachment 14 – TRF3265, and 12) Attachment 15 – MRD3030.

Trijicon, Inc. stated that this information should be considered exempt from mandatory public disclosure for the following reasons:

This information is held in confidence by Trijicon, Inc., and any disclosure thereof for developmental purposes would compromise Trijicon, Inc. ability to compete in the marketplace.

This information was transmitted and received by the NRC in confidence in support of Trijicon, Inc.'s amendment to registration certificate NR-418-D-101-E.

The information is not available in any public sources.

Trijicon, Inc. has invested extensive funds and manpower in developing the documents and any release of this information would assist competitors to use the information to fabricate and register similar devices without incurring any developmental costs.

We have reviewed Trijicon, Inc.'s application in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information. Therefore, the documents listed above will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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

Sincerely,
/RA/
Nima Ashkeboussi, Project Manager
Licensing Branch
Division of Materials Safety and
State Agreements
Office of Federal and State Materials
and Environmental Management Programs

Distribution:

MSSA r/f SSD 09-01

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