



May 10, 2011  
696/38/67-4476

**VIA OVERNIGHT DELIVERY**

Document Control Desk  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
**ATTN: Mr. Richard Thompson**  
**Mr. James Shepherd**

**Docket Nos.: 50-89, 50-163 and 70-734; License Nos. R-38, R-67 and SNM-696, Respectively**

**Subject: Submittal of Revised Financial Documents (2010) Re: Financial Assurance for Decommissioning**

Dear Mr. Thompson and Mr. Shepherd:

General Atomics (GA) possesses a facility that, until late September 2010, had housed two TRIGA<sup>®</sup> research reactors and their associated fuel under Nuclear Regulatory Commission (NRC) License Nos. R-38 and R-67. The TRIGA<sup>®</sup> fuel associated with the reactors was shipped off site in September 2010. GA also has possessed special nuclear material under NRC License No. SNM-696. In compliance with 10 CFR Parts 50.33 and 70.25, GA previously submitted financial assurance for the estimated cost of decommissioning its TRIGA<sup>®</sup> Reactors Facility and its SNM-696 licensed facilities (Refs. 1, 2 & 3). The financial assurance was provided by a parent company guarantee based on the financial test contained in Appendix A of 10 CFR 30.

Subsequently, for reasons detailed in Reference 4, GA was in non-compliance with the applicable NRC financial assurance regulations (10 CFR 50.75 and 70.25). As a consequence, GA proposed (Ref. 4), and NRC approved (Ref. 5), an alternate method of compliance.

The alternate method of compliance included a commitment by General Atomic Technologies Corporation (GATC), the parent guarantor, to submit revised financial statements, financial test data, and a special auditor's report and reconciling schedule prepared by an independent certified public accountant annually within 90 days of the close of the parent guarantor's fiscal year (FY). However, beginning in 2006, GA's certified public accountant has been unable to complete the required reports within 90 days of the close of the FY. Consequently, GA committed to submit the required financial information to the NRC immediately upon the information being provided to GA by its certified public accountant.

GA is now in receipt of the required financial information. Accordingly, submitted herewith is said information for FY 2010. GA regrets having been unable to submit the enclosed information sooner and will make every reasonable effort to be timely in the future.

The enclosed information demonstrates that the circumstances described in Ref. 4 have not changed materially and GA's parent company does not qualify under the

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regulations to provide the guarantee. Therefore, GA will continue to provide financial assurance pursuant to the alternate method of compliance.

As set forth in the enclosed affidavit of Mr. Navarra, GATC requests that the enclosed information be treated as proprietary information under the provisions of 10 CFR 2.390. GATC is a privately held corporation and the enclosed financial statements contain sensitive financial information.

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

Enclosures as stated (2 copies)

cc: Mr. Elmo Collins, Jr., Regional Administrator, NRC Region IV (w/o enclosures)

- References:
- 1) Asmussen, Keith E., Letter No. 38/67-1884 to U.S. Nuclear Regulatory Commission ATTN: Mr. Marvin Mendonca, "Docket Nos. 50-89 and 50-163: License Nos. R-38 and R-67; Decommissioning Report and Financial Assurance" dated July 26, 1990
  - 2) Asmussen, Keith E., Letter No. 696-1963 to Mr. John W. N. Hickey, U.S. Nuclear Regulatory Commission, "Docket No. 70-734; License No. SNM-696; Submittal of Decommissioning Funding Plan," dated September 10, 1992
  - 3) Asmussen, Keith E., Letter No. 696/38/67-2903 to U.S. Nuclear Regulatory Commission ATTN: Mr. Alexander Adams, Jr. and Mr. Charles E. Gaskin, "Docket Nos. 50-89, 50-163 and 70-734; License Nos. R-38, R-67 and SNM-696 Respectively: Submittal of Revised Parent Company Guarantee Re: Financial Assurance for Decommissioning," dated April 28, 1998
  - 4) Asmussen, Keith E., Letter No. 696-2581 to U.S. Nuclear Regulatory Commission ATTN: Mr. Alexander Adams, Jr. and Mr. Charles E. Gaskin, "Docket Nos. 70-0734, 50-89 and 50-163; Decommissioning Financial Assurance," dated May 20, 1996
  - 5) Weiss, Seymour H. and Robert C. Pierson, Letter to Dr. Keith E. Asmussen, "Financial Assurance for NRC Licenses SNM-696, R-38, R-67 Docket Nos. 70-0734, 50-89, 50-163," Dated July 9, 1996

**AFFIDAVIT OF ANTHONY G. NAVARRA**

I, Anthony G. Navarra, Treasurer of General Atomic Technologies Corporation, do hereby affirm and state:

1. I am an officer of General Atomic Technologies Corporation and I am authorized to execute this affidavit on behalf of General Atomic Technologies Corporation.
2. The affidavit is submitted under the provisions of 10 CFR 2.390 in order to withhold the enclosed financial statements and other enclosed financial information of General Atomic Technologies Corporation from public disclosure or publication.
3. The subject documents constitute confidential financial information of a privately-held corporation which has been held in confidence by the owner and are customarily held in such confidence, and are not available in public sources. Public disclosure would create substantial harm to the owner by providing detailed financial information to its competitors and other parties whose interest may be adverse to the owner.

GENERAL ATOMIC TECHNOLOGIES CORPORATION

  
\_\_\_\_\_  
Anthony G. Navarra  
Treasurer

STATE OF CALIFORNIA       )  
  ) SS  
COUNTY OF SAN DIEGO    )

Subscribed and sworn to (or affirmed) before me on this 10<sup>th</sup> day of May, 2011, by Anthony G. Navarra, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Signature   
Notary Public

