



GENERAL ATOMICS

AFFIDAVIT OF KEITH C. SHOOLBRED

I, Keith C. Shoolbred, Manager, Program Support, Energy and Advanced Concepts Group, General Atomics, do hereby affirm and state:

- (1) I have been delegated the function of reviewing information described in paragraph 3 which General Atomics requests be withheld from public disclosure or publication and I am authorized to execute this affidavit on behalf of General Atomics.
- (2) The affidavit is submitted under the provisions of 10CFR Part 2.390 in order to withhold the enclosed/attached confidential commercial and proprietary information (as set forth in paragraph 3 following) of General Atomics from public disclosure or publication.
- (3) The information sought to be withheld is related to General Atomics' "target assembly" and associated "system and process for selective gas extraction of Mo-99."

The information is contained in a presentation titled "**Selective Gas Extraction of Mo-99 at MURR**," to be presented to the U.S. Nuclear Regulatory Commission by Dr. Robert W. Schleicher, Chief Engineer on April 27, 2015.

All but two of the fourteen (14) pages of this document contains proprietary material that is "business sensitive" and/or "trade secret".

- (4) In making this application for withholding of proprietary information of which it is the owner, General Atomics relies upon the exemption from disclosure set forth in the Freedom of Information Act ("FOIA"), 5 USC Sec. 552(b)(4) and the Trade Secrets Act, 18 USC Sec. 1905, and NRC regulations 10CFR Part 9.17(a)(4) and 2.390(a)(4) for "trade secrets and commercial or financial information obtained from a person and privileged or confidential." The material for which exemption from disclosure is hereby sought is all "confidential commercial information," and/or also qualify under the narrower definition of "trade secret," within the meanings assigned to those terms for purposes of FOIA Exemption 4 in, respectively, Critical Mass Energy Project v. Nuclear Regulatory Commission, 975F2d871 (DC Cir. 1992), and Public Citizen Health Research Group v. FDA, 704F2d1280 (DC Cir. 1983).
- (5) Some examples of categories of information which fit into the definition of proprietary information are:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by General Atomics' competitors without license from General Atomics constitutes a competitive economic advantage over other companies;
 - b. Information which, if used by a competitor, would reduce his or her expenditure of resources or improve his or her competitive position in the design, manufacture, shipment, installation, assurance or quality, or licensing of a similar product.
 - c. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.
- (6) The information sought to be withheld is being submitted to the NRC in confidence. The information is of a sort customarily held in confidence, is of a sort customarily held in confidence by General Atomics, and is in fact so held. The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by General Atomics. No public disclosure has been made, and it is not available in public sources. All disclosures to third parties, including any required transmittals to the NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence.
- (7) Initial approval of proprietary treatment of a document is made by the manager of the originating business unit, the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge. Access to such documents within General Atomics is limited on a "need to know" basis.

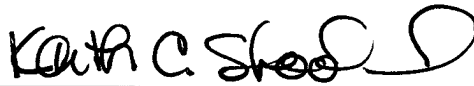
Disclosures outside General Atomics are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary non-disclosure agreements for protecting the information from further disclosure.

- (8) The information classified as proprietary was developed and compiled by General Atomics at a significant cost to General Atomics. This information is classified as proprietary because it contains detailed data and analytical results not available elsewhere. This information would provide other parties, including competitors, with information from General Atomics' technical database and the results of evaluations performed by General Atomics. Release of this information would improve a competitor's position without the competitor having to expend similar resources for the development of the database. A significant effort has been expended by General Atomics to develop this information.

- (9) Public disclosure of the information sought to be withheld is likely to cause substantial harm to General Atomics' competitive position. The information is part of General Atomics' selective gas extraction technology base, and its commercial value extends beyond the original development cost.

The research, development, engineering, and analytical costs associated with General Atomics' unique selective gas extraction system and process comprise a substantial investment of time and resources by General Atomics.

GENERAL ATOMICS



Keith C. Shoolbred, Manager, Program Support
Energy and Advanced Concepts Group

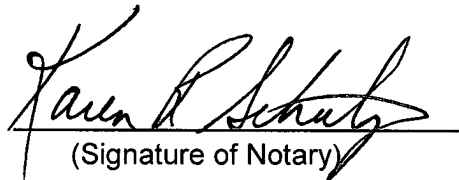
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego

On April 17, 2015 before me, Karen R. Schultz, Notary Public, personally appeared Keith C. Shoolbred, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



(Signature of Notary)