



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 20, 1994

Docket Nos. 50-89 and  
50-163

Dr. Keith E. Asmussen, Director  
Licensing, Safety and Nuclear Compliance  
General Atomics  
P.O. Box 85608  
San Diego, California 92186-9784

Dear Dr. Asmussen:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

By application dated March 31, 1994, you submitted the March 31, 1994, affidavit of James R. Edwards, Vice President, General Counsel and Secretary of General Atomics along with the "General Atomics Report and Consolidated Financial Statements December 31, 1993 and 1992." It was requested that this document be withheld from public disclosure pursuant to 10 CFR 2.790.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The information sought to be withheld from public disclosure is owned and has been held in confidence by General Atomics.
2. The information constitutes confidential financial information of a privately-held corporation and is of a type customarily held in confidence by General Atomics.
3. The information is not available in public sources.
4. Public disclosure of the information would cause substantial harm to General Atomics by providing detailed financial information to its competitors and other parties whose interests may be adverse to the owner.

We have reviewed the affidavit and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of General Atomics' statement, have determined that the submitted information sought to be withheld contains financial information obtained from a person and privileged or confidential.

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the rights, 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.

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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 information, General Atomics should promptly notify the NRC. General Atomics 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 this information. In all review situations, if the NRC makes a determination adverse to the above, General Atomics will be notified in advance of any public disclosure.

Sincerely,

Original signed by:

Alexander Adams, Jr., Senior Project Manager  
Non-Power Reactors and Decommissioning  
Project Directorate  
Division of Operating Reactor Support  
Office of Nuclear Reactor Regulation

cc: See next page

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Dr. Keith E. Asmussen

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Sincerely,



Alexander Adams, Jr., Senior Project Manager  
Non-Power Reactors and Decommissioning  
Project Directorate  
Division of Operating Reactor Support  
Office of Nuclear Reactor Regulation

cc: See next page

General Atomics

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cc:

California Department of Health  
ATTN: Chief, Environmental Radiation  
Control Unit  
Radiologic Health Section  
714 P Street, Room 498  
Sacramento, California 95814