



SELF-LUMINOUS

SIGHTS & SCOPES

Trijicon, Inc.

49385 Shafer Ave. • P.O. Box 930059 • Wixom, MI 48393-0059

PHONE: 810•960•7700 FAX: 810•960•7725

January 3, 1997

Ms. Michele Burgess, Mechanical Engineer  
Sealed Source Safety Section  
Medical, Academic and Commercial Use Safety Branch  
Division of Industrial and Medical Nuclear Safety  
Office of Nuclear Material Safety and Safeguards  
United States Nuclear Regulatory Commission  
Washington DC 20555-0001

Reference: Your letter of December 5th concerning the confidentiality of our  
letter of December 3, 1996.

Dear Ms. Burgess:

Enclosed is our executed affidavit identifying those portions of my letter of  
December 3rd which are confidential. If this is not accepted we hereby  
respectfully request the return of the December 3rd letter in its entirety.

Sincerely,

Stephen G. Bindon  
Vice President - General Manager

9703200035 970313  
PDR RC \*  
SSD PDR

STATE OF MICHIGAN

IN RE: TRIJICON INC. DECEMBER 3, 1996 LETTER

AFFIDAVIT OF STEPHEN G. BINDON

STATE OF MICHIGAN )ss.  
COUNTY OF OAKLAND)

Stephen G. Bindon, first being duly sworn, deposes and says that:

1. I am Vice-President and General Manager of Trijicon, Inc., and the designated Radiation Safety Officer. I recently responded to questions concerning the failure rates of Trijicon tritium iron sights for guns and have personal knowledge of the facts and matters stated in this affidavit and could and would so testify if called upon to do so. Trijicon has specifically delegated to me the duties and responsibilities of responding to this inquiry from the Nuclear Regulatory Commission and I have compiled various studies and data.

2. As indicated in my December 3, 1996 correspondence, competitors of Trijicon have experienced difficulty with failure of their sights. The information provided in my letter contains specific information about our sights which is not readily available to the public, especially our competitors.

3. The specific items we believe are protected from disclosure pursuant to 10 CFR 2.790(a)(4) as trade secret and commercial or financial information which should remain confidential are as follows:


- a. The last paragraph on the first page, identified with "C.";
- b. All of page two; and

c. The drawings attached as exhibits to the letter.

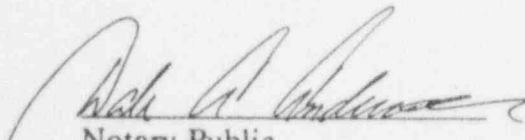
4. The information provided in the identified sections could be used by competitors of Trijicon to alter both their product and their marketing strategy. They would have no other readily available source for this information as it is all internally maintained by Trijicon with limited access by its employees. We have specifically identified the problem areas with our competitors' products and what a proper method, namely ours, would be. In balancing the public's need to have access to information and Trijicon's right to conduct business and protect its trade secrets and information developed by thousands of hours of work, we believe the balance tips very heavily toward maintaining the confidential nature of my December 3, 1996 letter, at least the paragraphs and material identified above.

5. I declare under the laws of the state of Michigan the foregoing is true and correct to the best of my ability.

Further affiant sayeth not.

  
STEPHEN G. BINDON

Subscribed and sworn to before me  
this 3<sup>th</sup> day of January, 1997

  
Notary Public

\_\_\_\_ County, Michigan  
My Commission Expires:

**DALE A. ANDERSON**  
Notary Public, Wayne County, Michigan  
Acting in Oakland County  
My Commission Expires February 27, 2001