



January 31, 1997
370-2676

VIA OVERNIGHT DELIVERY SERVICE

Document Control Desk
Attn: Mr. Charles Haughney
Acting Director, Spent Fuel Project Office
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Subject: **Docket No. 71-9226 (TAC No. L22363)**
GA-4 Legal Weight Truck Spent Fuel Shipping Cask

Reference: (1) C. R. Chappell letter dated May 22, 1995, from U.S. NRC to General Atomics
(2) K. E. Asmussen letter dated October 7, 1996, from General Atomics to U.S. NRC

Dear Mr. Haughney:

General Atomics (GA) hereby submits the enclosed revised application for a Certificate of Compliance for the GA-4 Legal Weight Truck Spent Fuel Shipping Cask, Docket No. 71-9226 (TAC No. L22363). This revision supersedes, in its entirety, the nonproprietary version submitted previously (Ref. 2) and changes individual pages of the previously submitted (Ref. 2) proprietary version. The "additional information" requested in Reference 1 has also been revised and proprietary and nonproprietary versions are enclosed.

The purpose of this revised submittal is to identify proprietary information in the Safety Analysis Report for Packaging (SARP) that was not identified in the previous submittal (Ref. 2). In addition, minor errors, mostly typographical, are also corrected. For the revised proprietary version of the SARP, i.e. Revision C, we are submitting change pages that should be inserted and the replaced (Revision A) pages removed as described in the attached instructions for incorporating the changes. For the nonproprietary version, we are submitting Revision D of the entire SARP which completely replaces Revision B.

This letter constitutes an application for withholding proprietary information in the SARP from public disclosure, pursuant to the provisions of 10 CFR Section 2.790 (b)(1). The subject SARP contains proprietary commercially strategic information which GA has held in confidence, and which is customarily held in confidence, and is not available in public sources. The enclosed affidavit sets forth the basis for which the information should be withheld from public disclosure by the Commission, and addresses specifically the considerations listed in paragraph(b)(4) of 10 CFR Section 2.790 of the Commission's regulations.

Thus, in addition to submitting ten (10) copies of the change pages to the proprietary version (i.e., Revision C) of the SARP and two (2) copies of the requested "additional information" containing confidential information, we are also submitting three (3) complete copies of the

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nonproprietary version (i.e., Revision D) of the SARP and two (2) copies of the "additional information" suitable for the public document room. In these nonproprietary versions, the proprietary information has been removed with brackets around the removed text and clouds around the removed information on the drawings and figures. The ten copies of the proprietary version (Revision C) of the change pages to the SARP and the two (2) proprietary copies of the "additional information" also have the proprietary text in brackets and clouds around the proprietary information on the drawings and figures.

It is requested that the information identified as proprietary be withheld from public disclosure in accordance with 10 CFR 2.790.

If you need additional information, please call me at 619-455-2823 (Fax: 619-455-2822) or Mr. Robert M. Grenier, Director, Nuclear Waste Management at 619-455-2583 (Fax: 619-455-2596).

Very truly yours,



Dr. Keith E. Asmussen, Director
Licensing, Safety and Nuclear Compliance

Enclosures:

1. Additional Information requested by Ref. (1)
 - 1 Proprietary copy
 - 1 Nonproprietary copy
2. Affidavit Pursuant to 10 CFR 2.790
3. Safety Analysis Report for Packaging (SARP)
 - 1 Proprietary copy of Revision C change pages to SARP, with instructions
 - 1 Nonproprietary copy of Revision D of the entire SARP

cc: Ms. Virginia Tharpe, US NRC Licensing Assistant (with enclosures below)

1. Additional Information requested by Ref. (1)
 - 1 Proprietary copy
 - 1 Nonproprietary copy
2. Affidavit Pursuant to 10 CFR 2.790
3. Safety Analysis Report for Packaging (SARP)
 - 9 Proprietary copies of Revision C change pages to SARP, with instructions
 - 2 Nonproprietary copies of Revision D of the entire SARP

AFFIDAVIT OF JAMES R. EDWARDS

b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

- c. Information which reveals cost or price information, production, capacities, budget levels, or commercial strategies of General Atomics, its customers, or its suppliers;
 - d. Information which reveals aspects of past, present, or future General Atomics customer-funded development plans and programs of potential commercial value to General Atomics;
 - e. 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 (including that compiled from many sources) 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. Its initial designation as proprietary information, and the subsequent steps taken to prevent its unauthorized disclosure, are as set forth in paragraphs (7) and (8) following.
- (7) Initial approval of proprietary treatment of a document is made by the manager of the originating component, 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.
- (8) The procedure for approval of external release of such a document typically requires review by the staff manager, project manager, principal scientist or other equivalent authority, by the manager of the cognizant marketing function (or his designee), and by the Legal Department, for technical content, competitive effect, and determination of the accuracy of the proprietary designation. 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 agreements.
- (9) 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 historical 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 using codes developed 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 substantial effort has been expended by General Atomics to develop this information.
- (10) Public disclosure of the information sought to be withheld is likely to cause substantial harm to General Atomics' competitive position and foreclose or reduce the availability of profit-

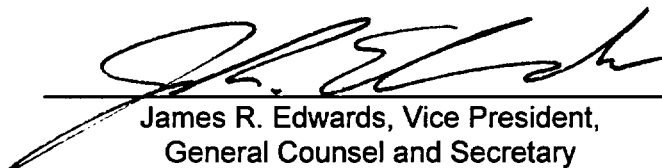
making opportunities. The information is part of General Atomics' comprehensive transportation base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and analytical methodology, and includes development of the expertise to determine and apply the appropriate evaluation process.

The research, development, engineering, and analytical costs comprise a substantial investment of time and money by General Atomics.

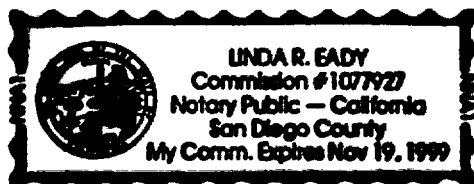
The precise value of the expertise to devise an evaluation process and apply the correct analytical methodology is difficult to quantify, but it is clearly substantial.


General Atomics' competitive advantage will be lost if its competitors are able to use the results of the General Atomics experience to normalize or verify their own process or if they are able to claim an equivalent understanding by demonstrating that they can arrive at the same or similar conclusions.

GENERAL ATOMICS


James R. Edwards, Vice President,
General Counsel and Secretary

Subscribed and sworn to before me this 31st day of January 1997.




Notary Signature