

April 17, 2003

Mr. Darin W. Schick
Engineering Manager
Trijicon, Inc.
49385 Shafer Avenue
P.O. Box 930059
Wixom, MI 48393-0059

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE, TRIJICON, INC. TX xx SERIES GUN SIGHTS

Dear Mr. Schick,

Trijicon Inc. submitted an application for the addition of TX Series gun sights to the registration certificate No. NR-0418-D-101-E by letters dated August 12, 2002, and September 30, 2002. Pursuant to 10 CFR 2.790 Trijicon, Inc. submitted an affidavit dated March 12, 2003, requesting NRC to withhold from public the following drawings, information, and photographs:

- (a) ATTACHMENT 3 (20 photographs) in original submission sent August 12, 2002
- (b) ATTACHMENT 4 (engineering drawing) XTRX3000_NRC Rev 1 in original submission sent August 12, 2002
- (c) ATTACHMENT 5 (engineering drawing) T4734-1 in original submission sent August 12, 2002
- (d) UPDATED ATTACHMENT 4 (engineering drawings) XTRX3000_NRC Rev 2 Sheets 1, 4, and 5 in submission sent September 9, 2002
- (e) UPDATED ATTACHMENT 5 (engineering drawings) Revision 1 T4734-1 and T5475-1 in submission sent September 30, 2002
- (f) ATTACHMENT 11 (material properties) Revision 0 in submission sent September 30, 2002
- (g) UPDATED ATTACHMENT 3 (20 photographs) Revision 1 in submission sent September 30, 2002

Trijicon stated that these drawings, photographs, and material properties should be considered exempt from mandatory public disclosure for the following reasons:

- This information is maintained confidential as this directly relates to Trijicon, Inc.'s ability to grow and maintain its business interests related to these products.
- This information was provided and received by the USNRC in confidence in support of Trijicon's application for exempt distribution of the TX xx Series Gun Sights.

- The information is not available in any public sources.
- The information, if disclosed publicly, is likely to cause substantial harm to the competitive position of Trijicon.

We have reviewed Trijicon's application, the engineering drawings, and photographs and the document on the material properties in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information.

Therefore, the documents listed 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 right, 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.

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

Sincerely,

/RA/

Nima Ashkeboussi, Engineering Aide
Materials Safety and Inspection Branch
Division of Industrial and
Medical Nuclear Safety
Office of Nuclear Material Safety
and Safeguards

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