

August 8, 2006

Mr. Alan J. Bilanin
Continuum Dynamics, Incorporated
34 Lexington Avenue
Ewing, New Jersey 08616-2302

SUBJECT: BROWNS FERRY UNITS 1, 2 AND 3 - REQUEST FOR ADDITIONAL
INFORMATION REGARDING EXTENDED POWER UPRATE REQUEST
FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NOS. MC3812, MC3743, AND MC3744) (TS-418 AND TS-431)

Dear Mr. Bilanin:

By letter dated May 5, 2006, which contained an affidavit dated May 4, 2006, the Tennessee Valley Authority submitted Continuum Dynamics Incorporated (CDI) Report No. 05-28P, Bounding Methodology to Predict Full Scale Steam Dryer Loads from In-Plant Measurements, Revision 1 (05-28P) and requested that it be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390.

Section 2.390(b)(1)(ii) of 10 CFR Part 2 of the Nuclear Regulatory Commission's (NRC's) regulations requires that each supporting affidavit contain a full statement of the basis for your claim that the information should be withheld from public disclosure. The section further requires the statement to "address with specificity" the considerations listed in 10 CFR 2.390(b)(4).

Your affidavit has been reviewed in light of the aforementioned paragraphs of the regulations and the NRC staff has determined that the entire report was identified as proprietary even though it appears, in places, not to contain commercial information that would meet the criteria for withholding from public disclosure as stated in 10 CFR 2.390(b)(4)(iv). For example, the NRC staff notes that most of the information provided in Section II of 05-28P is included and is also publicly available in CDI Report No. 06-11, Hydrodynamic Loads on Browns Ferry Nuclear Unit 1 Steam Dryer to 200 Hz, Revision 1. Thus it is not clear how the entire report could be proprietary.

In summary, we have determined that your affidavit is not in conformity with 10 CFR 2.390(b) of the Commission's regulations inasmuch as it fails to address the considerations of paragraph (b)(4)(iv) with sufficient specificity to enable us to make the required determination under 10 CFR 2.390(b). Consequently, we are unable to conclude at this time that the information referenced in the affidavit is proprietary.

In accordance with 10 CFR 2.390(c), the information sought to be withheld will be placed in the Commission's Public Document Room 30 days after your receipt of this letter unless you either seek to withdraw the information requested to be withheld or provide the NRC with an amended affidavit meeting the requirements of 10 CFR 2.390(b). If you request that the information be

A. Bilanin

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withdrawn, your request will be considered in light of applicable statutes and regulations and a determination made whether the documents will be withheld from public disclosure and returned to you. If you have any questions, please contact me at (301) 415-2315.

Sincerely,

/RA/

Eva A. Brown, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-259, 50-260 and 50-296

cc: See next page

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Alan J. Bilanin

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