



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 16, 2011

Mr. R. M. Krich
Vice President, Nuclear Licensing
Tennessee Valley Authority
3R Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

SUBJECT: SEQUOYAH NUCLEAR PLANT, UNITS 1 AND 2 - REQUEST FOR
WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE
REGARDING 10 CFR 50.46 ANNUAL REPORT (TAC NOS. ME5168 AND
ME5169)

Dear Mr. Krich:

By letter dated November 30, 2010, the Tennessee Valley Authority (the licensee) submitted the annual report of changes or errors discovered in the emergency core cooling system evaluation model in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 50.46, for the Sequoyah Nuclear Plant, Units 1 and 2. By letter dated June 28, 2011, the Nuclear Regulatory Commission (NRC) staff requested additional information (RAI) on this 10 CFR 50.46 Annual Report. By letter dated July 28, 2011, the licensee submitted the response to the NRC RAI. The licensee, in its letter dated July 28, 2011, requested that AREVA NP Incorporated (AREVA NP) proprietary information included in Enclosures 1 and 2 be withheld from public disclosure pursuant to 10 CFR 2.390. Affidavit dated July 28, 2011, executed by Alan B. Meginnis of AREVA NP, and included as Enclosure 5 to the licensee's letter dated July 28, 2011, was provided requesting that information contained in the following documents be withheld from public disclosure pursuant to 10 CFR 2.390:

Enclosure 1 to a letter dated July 28, 2011 – Responses to Requests for
Additional Information Regarding Sequoyah Nuclear Plant, Units 1 and 2,
10 CFR 50.46 Annual Report (Proprietary Version).

Enclosure 2 to a letter dated July 28, 2011 – Updated Sequoyah Nuclear Plant,
Units 1 and 2, 10 CFR 50.46 Report (Proprietary Version).

Nonproprietary copies of the above documents, which were included in the licensee's letter dated July 28, 2011, as Enclosures 3 and 4, have been placed in the NRC's Public Document Room and added to the NRC Library in the Agencywide Documents Access and Management System. These documents are entitled: "Responses to Requests for Additional Information Regarding Sequoyah Nuclear Plant, Units 1 and 2, 10 CFR 50.46 Annual Report (Non-Proprietary Version)," and "Updated Sequoyah Nuclear Plant, Units 1 and 2, 10 CFR 50.46 Report (Non-Proprietary Version)."

The affidavit stated that the submitted information in Enclosures 1 and 2 should be considered exempt from mandatory public disclosure for the reasons specified in the following paragraphs 6(b), 6(d), and 6(e):

- 6(b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- 6(d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA NP in product optimization or marketability.
- 6(e) The information is vital to a competitive advantage held by AREVA NP, would be helpful to competitors to AREVA NP, and would likely cause substantial harm to the competitive position of AREVA NP.

We have reviewed the licensee's letter dated July 28, 2011, and the enclosed material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, Enclosures 1 and 2 of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(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.

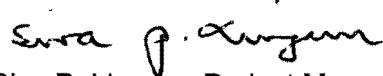
If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the 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.

R. Krich

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If you have any questions regarding this matter, I may be reached at 301-415-1564.

Sincerely,

A handwritten signature in black ink, appearing to read "Siva P. Lingam".

Siva P. Lingam, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-327 and 50-328

cc: Mr. Alan B. Meginnis, Manager
Product Licensing
AREVA NP Inc.
3315 Old Forge Road
Lynchburg, VA 24501

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R. Krich

- 3 -

If you have any questions regarding this matter, I may be reached at 301-415-1564.

Sincerely,

/RA/

Siva P. Lingam, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
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OFFICE	DORL/LPL2-2/PM	DORL/LPL2-2/LA	DSS/SRXB/BC
NAME	SLingam	CSola (BClayton for)	AUlses
DATE	08/03/11	08/03/11	08/05/11
OFFICE	DORL/LPL2-2/BC	DORL/LPL2-2/PM	
NAME	DBroaddus	SLingam	
DATE	08/09/11	08/16/11	

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