



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

October 26, 2016

Mr. Joseph W. Shea  
Vice President, Nuclear Licensing  
Tennessee Valley Authority  
1101 Market Street, LP 3R-C  
Chattanooga, TN 37402-2801

SUBJECT: BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2, AND 3 – REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
(CAC NOS. MF6741, MF6742, AND MF6743)

Dear Mr. Shea:

By letter to the U.S. Nuclear Regulatory Commission (NRC), dated September 23, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16269A001), Tennessee Valley Authority (the licensee) submitted an affidavit dated September 16, 2016, executed by Mr. Peter M. Yandow, Vice President, General Electric-Hitachi Nuclear Energy Americas LLC (GEH), requesting that the information contained in the following document (Enclosure 1 of the letter dated September 23, 2016) be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

- Revised Responses to NRC Requests for Additional Information [RAIs] EMCBB [Mechanical and Civil Engineering Branch of NRC]-RAIs 21, 25, 38, 39, and 43 (Proprietary version).

A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the NRC Library in ADAMS at Accession No. ML16269A001.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GEH's competitors without license from GEH constitutes a competitive economic advantage over other companies.
- b. Information that, if used by a competitor, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, 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.

If you have any questions, please contact me at (301) 415-1447 or [Farideh.Saba@nrc.gov](mailto:Farideh.Saba@nrc.gov).

Sincerely,

A handwritten signature in dark ink, appearing to read "Farideh E. Saba".

Farideh E. Saba, Senior 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: Mr. Peter M. Yandow  
Vice President, NPP/Services Licensing  
Regulatory Affairs  
GE-Hitachi Nuclear Energy Americas LLC  
3901 Castle Hayne Road, M/C A-75  
Wilmington, NC 28401

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*/RA SLingam for/*

Farideh E. Saba, Senior 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

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Vice President, NPP/Services Licensing  
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