



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

December 26, 2019

Mr. James Barstow  
Vice President, Nuclear Regulatory  
Affairs and Support Services  
Tennessee Valley Authority  
1101 Market Street, LP 4A-C  
Chattanooga, TN 37402-2801

SUBJECT: BROWNS FERRY NUCLEAR PLANT, UNIT 2 – REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE (EPID L-2019-LRO-0053)

Dear Mr. Barstow:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated September 19, 2019 (ADAMS Accession No. ML19262G978), Tennessee Valley Authority submitted an affidavit dated September 13, 2019, executed by Ms. Michelle P. Catts, Senior Vice President of Regulatory Affairs, GE-Hitachi Nuclear Energy Americas LLC (GEH), requesting that the information contained in the following document (Enclosure 1 of the letter dated September 19, 2019) be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

Enclosure 1: GEH report NEDC-33909P Revision 0, "Browns Ferry Nuclear Plant Unit 2 Replacement Steam Dryer EPU Full Re-Analysis and Benchmarking Report (PBLE02)," September 2019

The GEH affidavits dated September 13, 2019, stated that the submitted document is deemed proprietary in its entirety, and the information should be considered exempt from mandatory public disclosure per 10 CFR 2.390(b)(4) requirements 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, based on 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 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,

*/RA/*

Farideh E. Saba, Senior Project Manager  
Plant Licensing Branch II-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-259

cc: Ms. Michelle P. Catts  
Senior Vice President of Regulatory Affairs  
GE-Hitachi Nuclear Energy Americas, LLC  
3901 Castle Hayne Road  
Wilmington, NC 28401  
[michelle.catts@ge.com](mailto:michelle.catts@ge.com)

Listserv

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DATED DECEMBER 26, 2019

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