



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

January 10, 2023

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, UNITS 1, 2 AND 3 - REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE REGARDING  
USE OF ATRIUM 11 FUEL (EPID L-2021-LLA-0132)

Dear Mr. Barstow:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated July 23, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21204A128), Tennessee Valley Authority (TVA) requested that information contained in the 12 proprietary attachments be withheld from public disclosure pursuant to section 2.390 of Title 10 of the *Code of Federal Regulations* (10 CFR).

Subsequently, by letter dated September 13, 2022 (ML22266A106), TVA submitted a supplement to the July 23, 2021, letter to correct errors in the inputs and markings for certain information that was incorrectly marked as proprietary. As stated in the September 13, 2022, letter, Attachments 6a through 12a, 15a, and 16a supersede their previous revisions, in the July 23, 2021, letter, in their entirety. The July 23, 2021, and September 13, 2022, letters contain affidavits requesting that proprietary portions of the following documents be withheld from public disclosure pursuant to 10 CFR 2.390:

Affidavit dated July 23, 2020, executed by Alan B. Meginnis, Manager, Product Licensing, for Framatome, Inc., requesting that proprietary information contained in ANP-3857P, Revision 2, "Design Limits for Framatome Critical Power Correlations," dated July 2020

Affidavit dated June 8, 2022, executed by Alan B. Meginnis, Manager, Product Licensing, for Framatome, Inc., requesting that proprietary information contained in ANP-3854P, Revision 2, "Browns Ferry ATRIUM 11 Equilibrium Cycle, Fuel Cycle Design Report," dated June 2022

Affidavit dated April 15, 2022, executed by Alan B. Meginnis, Manager, Product Licensing, for Framatome, Inc., requesting that proprietary information contained in ANP-3850P, Revision 1, "Browns Ferry ATRIUM 11 Equilibrium Cycle Nuclear Fuel Design Report," dated April 2022

Affidavit dated June 8, 2022, executed by Alan B. Meginnis, Manager, Product Licensing, for Framatome, Inc., requesting that proprietary information contained in

ANP-3860P, Revision 1, "Mechanical Design Report for Browns Ferry ATRIUM 11 Fuel Assemblies," dated June 2022

Affidavit dated August 5, 2022, executed by Gayle Elliott, Deputy Director, Licensing and Regulatory Affairs, for Framatome, Inc., requesting that proprietary information contained in ANP-3866P, Revision 2, "ATRIUM 11 Fuel Rod Thermal-Mechanical Evaluation for Browns Ferry LAR," dated August 2022

Affidavit dated June 20, 2022, executed by Alan B. Meginnis, Manager, Product Licensing, for Framatome, Inc., requesting that proprietary information contained in ANP-3859P, Revision 1, "Browns Ferry Thermal-Hydraulic Design Report for ATRIUM 11 Fuel Assemblies," dated June 2022

Affidavit dated June 8, 2022, executed by Alan B. Meginnis, Manager, Product Licensing, for Framatome, Inc., requesting that proprietary information contained in ANP-3908P, Revision 4, "Applicability of Framatome BWR Methods to Browns Ferry with ATRIUM 11 Fuel," dated June 2022

Affidavit dated June 27, 2022, executed by Alan B. Meginnis, Manager, Product Licensing, for Framatome, Inc., requesting that proprietary information contained in ANP-3905P, Revision 2, "Browns Ferry Units 1, 2, and 3 LOCA Analysis for ATRIUM 11 Fuel," dated June 2022

Affidavit dated April 21, 2021, executed by Alan B. Meginnis, Manager, Product Licensing, for Framatome, Inc., requesting that proprietary information contained in ANP-3907P, Revision 0, "Application of BEO-III Methodology with the Confirmation Density Algorithm at Browns Ferry," dated April 2021

Affidavit dated April 14, 2021, executed by Alan B. Meginnis, Manager, Product Licensing, for Framatome, Inc., requesting that proprietary information contained in ANP-3906P, Revision 0, "Browns Ferry ATWS-I Evaluation for ATRIUM 11 Fuel," dated April 2021

Affidavit dated June 14, 2022, executed by Alan B. Meginnis, Manager, Product Licensing, for Framatome, Inc., requesting that proprietary information contained in ANP-3874P, Revision 3, "Browns Ferry ATRIUM 11 Control Rod Drop Accident Analysis with the AURORA-B CRDA Methodology," dated June 2022

Affidavit dated July 11, 2022, executed by Alan B. Meginnis, Manager, Product Licensing, for Framatome, Inc., requesting that proprietary information contained in ANP-3904P, Revision 5, "Browns Ferry ATRIUM 11 Transient Demonstration," dated July 2022

Nonproprietary copies of these documents have been placed in the NRC's Public Document Room and added to the NRC Library in ADAMS.

The affidavits stated that the submitted information should be withheld from public disclosure for the following reason:

The documents contain information of a proprietary and confidential nature and is of the type customarily held in confidence by Framatome and not made available to the public.

Additionally, the affidavits state that information in the documents has been classified by Framatome as proprietary in accordance with the policies established by Framatome for the control and protection of proprietary and confidential information.

6. The following criteria are customarily applied by Framatome to determine whether the information should be classified as proprietary:
  - (a) The information reveals details of Framatome's research and development plans and programs or their results.
  - (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.
  - (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for Framatome.
  - (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for Framatome in product optimization or marketability.
  - (e) The information is vital to a competitive advantage held by Framatome, would be helpful to competitors to Framatome, and would likely cause substantial harm to the competitive position of Framatome.

Specifically, Framatome has identified that the proprietary information in the above listed documents meets criteria 6(b), 6(d), and 6(e) above.

We have reviewed TVA's 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 version 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.

If you have any questions regarding this matter, I may be reached at 301-415-1627.

Sincerely,

**/RA/**

Kimberly J. Green, 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: Alan Meginnis, Manager, Product Licensing  
Framatome, Inc.  
2101 Horn Rapids Rd.  
Richland, WA 99354

Listserv

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**ADAMS Accession No.: ML22297A235**

OFFICE	NRR/DORL/LPL2-2/PM	NRR/DORL/LPL2-2/LA	NRR/DSS/SNSB/BC(A)
NAME	KGreen	RButler	DWoodyatt
DATE	10/24/2022	10/25/2022	10/24/2022
OFFICE	NRR/DORL/LPL2-2/BC*	NRR/DORL/LPL2-2/PM	
NAME	DWrona	KGreen	
DATE	10/26/2022	01/10/2023	

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