

December 31, 2001

Mr. H. A. Sepp, Manager
Regulatory and Licensing Engineering
Westinghouse Electric Company LLC
P. O. Box 355
Pittsburgh, Pennsylvania 15230-0355

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
REGARDING THE SEQUOYAH NUCLEAR PLANT, UNITS 1 AND 2
(TAC NOS. MB3435 AND MB 3436)

Dear Mr. Sepp:

By your application dated October 17, 2001, and your affidavit dated October 19, 2001 (CAW-01-1489), transmitted as Enclosure 9 to the November 15, 2001, Tennessee Valley Authority (TVA) application for license amendments for Sequoyah Units 1 and 2, you requested withholding from public disclosure Enclosure 7 to the application. Enclosure 7 is entitled "Applicability of Comanche Peak and Watts Bar RAIs to Sequoyah 1&2 Uprate." Your request that the document be withheld from public disclosure was made pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.790.

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

- (a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
- (b) Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 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, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(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.

Mr. H. Sepp

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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 301-415-2010.

Sincerely,

/RA/

Ronald W. Hernan, Sr. Project Manager, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-327 and 50-328

cc: See next page

Mr. H. Sepp

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DATE	12/20/2001	12/20/2001	12/27/2001	12/21/2001

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Tennessee Valley Authority

SEQUOYAH NUCLEAR PLANT

cc:

Mr. J. A. Scalice
Chief Nuclear Officer and
Executive Vice President
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, Tennessee 37402-2801

Mr. Pedro Salas, Manager
Licensing and Industry Affairs
Sequoyah Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Soddy Daisy, TN 37379

Mr. Karl W. Singer, Senior Vice President
Nuclear Operations
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

Mr. D. L. Koehl, Plant Manager
Sequoyah Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Soddy Daisy, TN 37379

Mr. Jon R. Rupert, Vice President (Acting)
Engineering & Technical Services
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

Mr. Russell A. Gibbs
Senior Resident Inspector
Sequoyah Nuclear Plant
U.S. Nuclear Regulatory Commission
2600 Igou Ferry Road
Soddy Daisy, TN 37379

Mr. Richard T. Purcell
Site Vice President
Sequoyah Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Soddy Daisy, TN 37379

Mr. Lawrence E. Nanney, Director
Division of Radiological Health
Dept. of Environment & Conservation
Third Floor, L and C Annex
401 Church Street
Nashville, TN 37243-1532

General Counsel
Tennessee Valley Authority
ET 11A
400 West Summit Hill Drive
Knoxville, TN 37902

County Executive
Hamilton County Courthouse
Chattanooga, TN 37402-2801

Mr. Robert J. Adney, General Manager
Nuclear Assurance
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

Ms. Ann P. Harris
341 Swing Loop Road
Rockwood, Tennessee 37854

Mr. Mark J. Burzynski, Manager
Nuclear Licensing
Tennessee Valley Authority
4X Blue Ridge
1101 Market Street
Chattanooga, TN 37402-2801