

December 28, 2004

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

SUBJECT: SEQUOYAH NUCLEAR PLANT UNIT 2 - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (TAC NO. MC5212)

Dear Mr. Singer:

By letter from the Tennessee Valley Authority dated December 2, 2004 (TVA-SQN-TS-03-06), Westinghouse Electric Company submitted an affidavit dated October 28, 2004, executed by J. A. Gresham, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

LTR-CDME-04-147, "Application of W* to the Sequoyah Unit 2 Steam Generator Tubes"
(Proprietary)

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

- (4)(ii)(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.
- (4)(ii)(b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- (4)(ii)(c) Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance or quality, or licensing a similar product.
- (4)(v) The proprietary information sought to be withheld in this submittal is that which is appropriately marked in LTR-CDMR-04-147, "Application of W* to the Sequoyah

Unit 2 Steam Generator Tubes” (Proprietary), dated October 2004. The information is provided in support of a submittal to the Commission, being transmitted by Tennessee Valley Authority letter and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information as submitted for use by Westinghouse for Sequoyah Unit 2 is expected to be applicable to other license submittals in support of implementing the W* inspection methodology addressing service induced degradation in the tube joint region of steam generators.

We have reviewed your application and the 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, 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 301-415-1364.

Sincerely,

/RA/

Douglas V. Pickett, Senior Project Manager, Section 2
Project Directorate II-2
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-328

cc: See next page

information is provided in support of a submittal to the Commission, being transmitted by Tennessee Valley Authority letter and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information as submitted for use by Westinghouse for Sequoyah Unit 2 is expected to be applicable to other license submittals in support of implementing the W* inspection methodology addressing service induced degradation in the tube joint region of steam generators.

We have reviewed your application and the 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, 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 301-415-1364.

Sincerely,
/RA/
 Douglas V. Pickett, Senior Project Manager, Section 2
 Project Directorate II-2
 Division of Licensing Project Management
 Office of Nuclear Reactor Regulation

Docket No. 50-328

cc: See next page

Distribution

PDII-2 r/f PUBLIC OGC ACRS EHackett BClayton
 DPickett LLund VMcCree, R2

ADAMS ACCESSION NO. ML043520245

OFFICE	PM:LPD2	LA:LPD2	SC:EMCB	SC:LPD2
NAME	DPickett	CHawes for BClayton	LLund	MMarshall
DATE	12/ 22 /04	12/ 17 /04	12/ 23 /04	12/ 28 /04

Mr. Karl W. Singer
Tennessee Valley Authority

SEQUOYAH NUCLEAR PLANT

cc:

Mr. Ashok S. Bhatnagar, Senior Vice President
Nuclear Operations
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

Mr. Paul L. Pace, Manager
Licensing and Industry Affairs
ATTN: James D. Smith
Sequoyah Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Soddy Daisy, TN 37384-2000

Mr. Michael J. Lorek, General Manager
Nuclear Engineering
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

Mr. David A. Kulisek, Plant Manager
Sequoyah Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Soddy Daisy, TN 37384-2000

Mr. Randy Douet
Site Vice President
Sequoyah Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Soddy Daisy, TN 37384-2000

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

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

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

Mr. John C. Fornicola, Manager
Nuclear Assurance and Licensing
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

County Mayor
Hamilton County Courthouse
Chattanooga, TN 37402-2801

Mr. Fredrick C. Mashburn
Senior Program Manager
Nuclear Licensing
Tennessee Valley Authority
4X Blue Ridge
1101 Market Street
Chattanooga, TN 37402-2801

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