

September 30, 2005

Mr. George B. Stramback, Manager  
Regulatory Services  
General Electric Nuclear Energy  
175 Curtner Avenue  
San Jose, CA 95125

SUBJECT: GENERAL ELECTRIC COMPANY REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE FOR BROWNS FERRY  
NUCLEAR PLANT, UNIT 1 (TAC NO. MC3812)

Dear Mr. Stramback:

By letter dated June 25, 2004, Tennessee Valley Authority submitted an affidavit dated June 17, 2004, executed on your behalf, requesting that information contained in *NEDC-33101P, Revision 2, DRF 0000-0010-9439, Class III "Browns Ferry Unit 1 Safety Analysis Report for Extended Power Uprate"* be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390.

A nonproprietary version of this document has been placed in the U.S. 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:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by General Electric's competitors without license from General Electric constitutes a competitive economic advantage over other companies.
- b. Information which, if used 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 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 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, feel free to contact me at 301-415-4041.

Sincerely,

*/RA/*

Margaret H. Chernoff, Project Manager, Section 2  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-259

cc: See next page

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Sincerely,

***/RA EBrown for/***

Margaret H. Chernoff, Project Manager, Section 2  
 Project Directorate II  
 Division of Licensing Project Management  
 Office of Nuclear Reactor Regulation

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cc: See next page

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Tennessee Valley Authority

cc:

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

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

Mr. Larry S. Bryant, General Manager  
Nuclear Engineering  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

Brian O'Grady, Site Vice President  
Browns Ferry Nuclear Plant  
Tennessee Valley Authority  
P.O. Box 2000  
Decatur, AL 35609

Mr. Robert J. Beecken, Vice President  
Nuclear Support  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

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

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

Mr. Bruce M. Aukland, Plant Manager  
Browns Ferry Nuclear Plant  
Tennessee Valley Authority  
P.O. Box 2000  
Decatur, AL 35609

## **BROWNS FERRY NUCLEAR PLANT**

Mr. Jon R. Rupert, Vice President  
Browns Ferry Unit 1 Restart  
Browns Ferry Nuclear Plant  
Tennessee Valley Authority  
P.O. Box 2000  
Decatur, AL 35609

Mr. Robert G. Jones  
Browns Ferry Unit 1 Plant Restart Manager  
Browns Ferry Nuclear Plant  
Tennessee Valley Authority  
P.O. Box 2000  
Decatur, AL 35609

Mr. Scott M. Shaeffer  
Browns Ferry Unit 1 Project Engineer  
Division of Reactor Projects, Branch 6  
U.S. Nuclear Regulatory Commission  
61 Forsyth Street, SW.  
Suite 23T85  
Atlanta, GA 30303-8931

Mr. Glenn W. Morris, Manager  
Corporate Nuclear Licensing  
and Industry Affairs  
Tennessee Valley Authority  
4X Blue Ridge  
1101 Market Street  
Chattanooga, TN 37402-2801

Mr. William D. Crouch, Manager  
Licensing and Industry Affairs  
Browns Ferry Nuclear Plant  
Tennessee Valley Authority  
P.O. Box 2000  
Decatur, AL 35609

Senior Resident Inspector  
U.S. Nuclear Regulatory Commission  
Browns Ferry Nuclear Plant  
10833 Shaw Road  
Athens, AL 35611-6970

State Health Officer  
Alabama Dept. of Public Health  
RSA Tower - Administration  
Suite 1552  
P.O. Box 303017  
Montgomery, AL 36130-3017

Chairman  
Limestone County Commission  
310 West Washington Street  
Athens, AL 35611