

August 11, 2006

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

SUBJECT: WATTS BAR NUCLEAR PLANT, UNIT 1 - REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE (TAC NO. MC4730)

Dear Mr. Singer:

By letter dated July 3, 2006, the Tennessee Valley Authority submitted a response to the Nuclear Regulatory Commission's request for additional information concerning the staff's audit of the containment sump modifications at the Watts Bar Nuclear Plant, Unit 1. This letter included an affidavit dated June 14, 2006, executed by B. F. Maurer, and an affidavit dated June 29, 2006, executed by J. A. Gresham, in which you requested that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

Calculation FSDA-C-597, "Watts Bar RHRP NPSH From the Sump," Response to NRC Request for Additional Information, Watts Bar Nuclear Plant, Unit 1, Docket No. 50-390 (Proprietary)

LTR-SEE-06-118, Revision 1 P-Attachment, "Watts Bar Unit 1 ECCS Analysis Report," dated June 2006 (Proprietary)

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

- (i) The information is owned and has been held in confidence by Westinghouse.
- (ii) The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public.
- (iii) The information is being transmitted to the NRC in confidence under the provisions of 10 CFR 2.390.
- (iv) The information is not available in public sources or available information has not been previously employed in the same original manner or method to the best of Westinghouse's knowledge or belief.

- (v) Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar design modifications, bases, and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

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 Calculation FSDA-C-597, "Watts Bar RHRP NPSH From the Sump," Response to NRC Request for Additional Information, Watts Bar Nuclear Plant, Unit 1, Docket No. 50-390 marked as proprietary and the LTR-SEE-06-118, Revision 1 P-Attachment, "Watts Bar Unit 1 ECCS Analysis Report," dated June 2006 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.

Sincerely,

*/RA/*

Douglas V. Pickett, Senior Project Manager  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-390

cc: See next page

- (v) Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar design modifications, bases, and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

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.

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Sincerely,  
/RA/

Douglas V. Pickett, Senior Project Manager  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-390

cc: See next page

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**OFFICIAL RECORD COPY**

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**WATTS BAR NUCLEAR PLANT**

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