

June 2, 2008

Mr. William R. Campbell, Jr.  
Chief Nuclear Officer and  
Executive Vice President  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

SUBJECT: BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2, AND 3 - REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR PARTIAL  
ROUND 13 RESPONSES (TAC NOS. MD5262, MD5263 AND MD5264)

Dear Mr. Campbell:

By letter dated August 9, 2007, the Tennessee Valley Authority (TVA) submitted affidavits dated August 1, 2007, and July 31, 2007, executed on behalf of GE [General Electric]-Hitachi Nuclear Energy Americas LLC (GEH) and AREVA NP, Inc., respectively, requesting that the information be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations (10 CFR) Section 2.390:

- Enclosure 1 of the GEH letter, GE-ERI-AEP-07-362, Larry King (GE) to J. Valente (TVA), entitled GEH Responses to NRC [Nuclear Regulatory Commission] Request for Additional Information - SBWB-67, SBWB-68, SBWB-69, and SBWB-70, dated August 1, 2007; and
- Browns Ferry Nuclear Plant (BFN) - Units 1, 2, and 3- Technical Specifications (TS) Changes TS-431 and TS-418 - Extended Power Uprate (EPU) - Response to Round 13 Request for Additional Information (RAI) - SBWB RAIs (TAC Nos. MC5262, MC5263, and MC5264), dated August 2007.

The information is contained in Enclosure 1 to TVA's letter to the Nuclear Regulatory Commission (NRC) dated August 9, 2007. A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

- 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 AREVA NP.

The GE 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; and
- 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, I may be reached at 301-415-2315.

Sincerely,

**/RA/**

Eva A. Brown, Senior Project Manager  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-290, 50-260, and 50-296

cc: See next page

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Sincerely,  
**/RA/**  
 Eva A. Brown, Senior Project Manager  
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 Division of Operating Reactor Licensing  
 Office of Nuclear Reactor Regulation

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cc: See next page

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**NRR-084**

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