



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 22, 2009

Mr. Preston D. Swafford
Chief Nuclear Officer and
Executive Vice President
Tennessee Valley Authority
3R Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

SUBJECT: SEQUOYAH NUCLEAR PLANT, UNIT 2 - REQUEST FOR WITHHOLDING
PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. ME1343)

Dear Mr. Swafford:

By letter dated May 21, 2009, you submitted an application for license amendment to revise the Sequoyah Nuclear Plant, Unit 2 Technical Specifications (TSs). Specifically, TS 6.8.4.k, "Steam Generator (SG) Program," for Unit 2 including associated Bases 3/4.4/5, "Steam Generator (SG) Tube Integrity," would be revised to allow the implementation of SG tubing alternate repair criteria for axial indications in the Westinghouse Electric Company explosive tube expansion region below the top of the tubesheet and specify the W* distance for the SG cold legs. You requested that Westinghouse proprietary information included in Attachment 3 to Enclosure of the application, "Application of W* Alternate Repair Criteria to Sequoyah Unit 2 Cold Leg tubes," be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. Affidavit attesting to the nature of the commercial information was provided in authorization letter CAW-09-2548, "Application for Withholding Proprietary Information from Public Disclosure," dated March 25, 2009, executed by J. A. Gresham of Westinghouse Electric Company.

A nonproprietary copy of the application 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:

- (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.
- (c) 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.

- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

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.

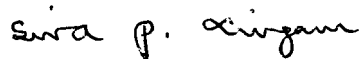
Therefore, the enclosure of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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 301-415-1564.

Sincerely,



Siva P. Lingam, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-328

cc: Distribution via Listserv, and
Mr. J. A. Gresham, Manager
Regulatory Compliance and Plant Licensing
Westinghouse Electric Company LLC
P. O. Box 355
Pittsburgh, Pennsylvania 15230-0355.

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 Division of Operating Reactor Licensing
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