

September 14, 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: BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2 AND 3 – REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR BROWNS  
FERRY NUCLEAR PLANT (TAC NOS. MD5262, MD5263, AND MD5264)

Dear Mr. Swafford:

By letters dated September 2 and December 8, 2008, January 16, January 23, and February 18, 2009, the Tennessee Valley Authority (TVA) submitted affidavits dated August 29 and December 2, 2008, January 15, January 22, and February 5, 2009, respectively, executed on behalf of Continuum Dynamics, Incorporated (CDI), requesting that information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

Enclosure 1 to a letter dated September 2, 2008 - *Response to Round 19 Request for Additional Information (RAI)*;

Enclosure 1 to a letter dated December 8, 2008 - CDI Report No. 07-11P, *Dynamics of BWR Steam Dryer Components*;

Enclosure 1 to a letter dated January 16, 2009 - *Response to Round 23 Request for Additional Information (RAI) Regarding Steam Dryer Analysis Submodeling*;

Enclosure 1 to a letter dated January 23, 2009 - *Response to Round 23 Request for Additional Information (RAI) EMCB.203/164 Regarding Steam Dryer Signal Processing*;

Enclosure 1 to a letter dated February 18, 2009 - *Response to Round 23 Request for Additional Information (RAI) EMCB.204/168 Regarding Steam Dryer Analyses*;

Non-proprietary copies of these documents have 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.

Affidavits dated August 29, 2008, and January 15, January 22 and February 5, 2009, 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 CDI's competitors without license from CDI 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.
- (c) Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

The affidavit dated December 2, 2008, stated that the submitted information should be considered exempt from mandatory public disclosure for reasons (a) and (b) above.

We have reviewed your applications 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 versions 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

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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. 50-259, 50-260, and 50-296

cc: Milton E. Teske and  
Barbara A. Agans  
Continuum Dynamics, Inc.  
34 Lexington Avenue  
Ewing, NJ 08618-2302

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