



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

December 19, 2014

Mr. Joseph W. Shea
Vice President - Nuclear Licensing
Tennessee Valley Authority
LP 3D-6
1101 Market Street
Chattanooga, TN 37402-2801

SUBJECT: BROWNS FERRY NUCLEAR PLANT, UNIT 1 - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE REGARDING APPLICATION TO MODIFY TECHNICAL SPECIFICATION 3.4.9, "RCS [REACTOR COOLANT SYSTEM] PRESSURE AND TEMPERATURE (P/T) LIMITS (TAC NO. MF3260)

Dear Mr. Shea:

By letter dated December 18, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13358A067), Tennessee Valley Authority (TVA, the licensee) submitted an affidavit dated December 6, 2013, executed by Peter M. Yandow, Vice president, Nuclear Plant Projects/Services Licensing, Regulatory Affairs, of General Electric-Hitachi Nuclear Energy Americas LLC (GEH) and an affidavit dated December 6, 2013, executed by Christine King, Director, Nuclear Fuels & Chemistry at Electric Power Research Institute, Inc. (EPRI). It was requested that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

NEDC-33445P, Revision 0, December 2013, Tennessee Valley Authority, Browns Ferry Nuclear Plant Unit 1, "Pressure and Temperature Limits Report (PTLR) up to 25 and 38 Effective Full Power Years"

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to ADAMS under Accession No. ML13358A068.

The GEH affidavit stated that the information in this document is considered proprietary for the reasons set forth in the following paragraphs 4(a) and 4(b):

- 4(a) Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GEH's competitors without license from GEH constitutes a competitive economic advantage over other companies;

- 4(b) Information that, if used by a competitor, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

The EPRI affidavit stated that the information in this document is considered proprietary for the following reasons. EPRI made a substantial economic investment to develop the Proprietary Information and, by prohibiting public disclosure, EPRI derives an economic benefit in the form of licensing royalties and other additional fees from the confidential nature of the Proprietary Information. If the Proprietary Information were publicly available to consultants and/or other businesses providing services in the electric and/or nuclear power industry, they would be able to use the Proprietary Information for their own commercial benefit and profit and without expending the substantial economic resources required of EPRI to develop the Proprietary Information.

The NRC staff has reviewed the TVA submittal and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavits, 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.

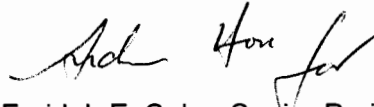
If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, TVA should promptly notify the NRC. The licensee also should understand that the NRC may have cause to review this determination 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, TVA will be notified in advance of any public disclosure.

J. Shea

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If you have any questions regarding this matter, I can be reached at 301-415-1447.

Sincerely,



Farideh E. Saba, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-259

cc: Peter M. Yandow
Vice President, Nuclear Plant Projects/Services
Licensing, Regulatory Affairs
GE-Hitachi Nuclear Energy Americas LLC
3901 Castle Hayne Rd.
Wilmington, NC 28401

Christine King
Director, Nuclear Fuels & Chemistry
Electric Power Research Institute, Inc.
3420 Hillview Avenue
Palo Alto, California 94304-1338

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J. Shea

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/RA by AHon for/

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