

NRR-PMDAPEm Resource

From: Saba, Farideh
Sent: Tuesday, March 31, 2015 2:50 PM
To: garry (gmorg50@hotmail.com)
Cc: Helton, Shana
Subject: Browns Ferry Nuclear Plant, Units 1, 2, 3 - Request for Withholding of Proprietary Information from Public Disclosure (TAC NOS. MF5412, MF5413, and MF5414)

Dear Mr. Morgan,

Thank you for your interest in Browns Ferry Nuclear Plant. In your email, you have expressed your concerns regarding the placement of ANP-3245NP, Revision 1, "Browns Ferry Evaluation of PRFO [Pressure Regulator Failure Open] Low Pressure Technical Specification Value," February 2014, into the proprietary category. I have noticed that inadvertently the non-proprietary (NP) version of the AREVA document is listed in the letter. The proprietary version of this document is ANP-3245P, Revision 1, with same the title. The NP version of the AREVA has been included (Attachment 6 to Enclosure) in the licensee's submittal dated December 11, 2014 (ML14363A158), which is publicly available. In this document (the NP version) the information that is considered to be proprietary information has been redacted by AREVA. Subsequently, Tennessee Valley Authority (TVA) requested that proprietary version to be withheld from the public disclosure per Title 10 of *Code of Federal Regulations*, Section 2.390 (10 CFR 2.390). The NRC staff reviewed the TVA request and the submitted documents in accordance with 10 CFR 2.390 and determined that the redacted information contains proprietary commercial information and should be withheld from the public.

In response to your questions:

- 1) Does the Areva request relate to an Areva Product, e.g. pressure regulator or valve?

This is not related to any product that is supplied by AREVA. As you can see in AREVA ANP-3245NP, Revision 1, the purpose of this document was for AREVA to present the analysis results for the PRFO event with respect to the lowest pressure predicted at the steam dome during the transient. AREVA evaluated if the low pressure isolation setpoint for the main steam isolation valve (MSIV) is adequate to support the critical power ratio safety limit being maintained during the time that the reactor is above 25% rated thermal power during the pressure regulator failure open (PRFO) event.

- 2) Are there problems with any Areva pressure regulator or valve in any Browns Ferry Nuclear Reactor System which relates to a safety function?

No, AREVA does not supply pressure regulators to Browns Ferry. Any problem with the Browns Ferry systems with safety function will be reported to the NRC in accordance with the Browns Ferry current licensing bases and will be evaluated by the NRC resident inspectors at the site and the region. As stated above the AREVA report present an analysis results for an assumed event.

- 3) Does the Areva withholding request violate public law, as the request involves disclosure of defects in parts relating to the safety functions, "Pressure Regulator Failure," of the Browns Ferry Nuclear Reactor Systems which the TVA and the NRC have a responsibility to inform the public regarding a safety system defect?

No. The AREVA request for withholding information in proprietary version of its report is in accordance with 10 CFR 2.390. Also, the NRC staff reviewed this request and determined that the redacted portions contain proprietary information.

Please do not hesitate to contact me if you have any additional questions.

Regards,

Farideh

Farideh E. Saba, P.E.
Senior Project Manager
NRC/ADRO/NRR/DORL
301-415-1447
Mail Stop O-8G9A
Farideh.Saba@NRC.GOV

From: garry [<mailto:gmorg50@hotmail.com>]
Sent: Wednesday, March 18, 2015 12:13 PM
To: Saba, Farideh
Cc: garry
Subject: FW: Browns Ferry Nuclear Plant, Units 1, 2, 3 - Request for Withholding of Proprietary Information from Public Disclosure (TAC NOS. MF5412, MF5413, and MF5414)

Dear Mr. Farideh,

Regarding Docket Nos. 50-259, 50-260, and 50-296

I wanted to express my concern regarding the placement of ANP-3245NP, Revision 1, "Browns Ferry Evaluation of PRFO, Pressure Regulator Failure Open, into the category of proprietary protected information.

Reasoning for this concern: There is the appearance that Areva is attempting to keep "secret" that one or more of their products have a defect which involves a pressure regulator or valve involving one or more safety systems of the various Browns Ferry Nuclear Reactors.

10 CFR 2.390 - Public inspections, exemptions, requests for withholding is clear,

Discussion: The failure or problems with pressure regulators or valves in a nuclear reactor system involves a safety function. The information involving failures or defects of pressure regulators or valves should be made available to the public. Pressure regulator/valve failures have been a previous issue relating to safety at Browns Ferry as indicated by the Browns Ferry INPO Report dated July 2010 and the NRC 95003 finding of the same time period.

Public Safety is and must be the primary concern for the NRC as stipulated by law. Protecting Areva or any other nuclear product contractor, to include nuclear facility operators by classification of a safety defect of parts or systems as proprietary restricted info violates the spirit and purpose of The Atomic Energy Act as it relates to public safety, and keeping the public informed regarding the safe operation of nuclear facilities.

Safety related materials problems should not be classified as proprietary. This Areva request relates to pressure regulator failures, a safety function. The classification of Browns Ferry contractor activities relating to pressure regulators/valve failures gives the appearance of covering up safety defects of one or more issues involving the aging reactor systems at Browns Ferry.

Questions: I have questions as to the openness of the NRC, the TVA and its contractors relating to the safe operation of the Browns Ferry Nuclear Facility, 1-3 below.

1) Does the Areva request relate to an Areva Product, e.g pressure regulator or valve; 2) are there problems with any Areva pressure regulator or valve in any Browns Ferry Nuclear Reactor System which relates to a safety function; 3) does the Areva withholding request violate public law, as the request involves disclosure of defects in parts relating to the safety functions, "Pressure Regulator Failure," of the Browns Ferry Nuclear Reactor Systems which the TVA and the NRC have a responsibility to inform the public regarding a safety system defect?

GARRY MORGAN
BREDL/BEAT/MATRR
<http://www.matrr.org>

cc: BFN file

From: nrc_mail_wb.Resource@nrc.gov

To: gmorg50@hotmail.com

Date: Mon, 16 Mar 2015 16:02:53 -0400

Subject: Browns Ferry Nuclear Plant, Units 1, 2, 3 - Request for Withholding of Proprietary Information from Public Disclosure (TAC NOS. MF5412, MF5413, and MF5414)

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From: Saba, Farideh

Created By: Farideh.Saba@nrc.gov

Recipients:
"Helton, Shana" <Shana.Helton@nrc.gov>
Tracking Status: None
"garry (gmorg50@hotmail.com)" <gmorg50@hotmail.com>
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Post Office: HQCLSTR02.nrc.gov

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