



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

August 16, 2016

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

SUBJECT: BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2, AND 3 – REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(CAC NOS. MF6741, MF6742, AND MF6743)

Dear Mr. Shea:

By letter to the U.S. Nuclear Regulatory Commission (NRC), dated August 3, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16216A699), Tennessee Valley Authority (the licensee) submitted an affidavit dated July 26, 2016, executed by Mr. Christopher D'Angelo, Senior Director, Analysis Division, Zachry Nuclear Engineering, Inc. (Zachry), requesting that the information contained in the following document (Enclosure 7 of the letter dated August 3, 2016) be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

Engineering Evaluation 16-E04, Revision 1, Description of BFN [Browns Ferry Nuclear Plant] RHR [Residual Heat Removal] Heat Exchanger Test Data Evaluation, dated June 2016 (Proprietary version)

A non-proprietary copy of the document (Enclosure 8 of the letter dated August 3, 2016), entitled, "Engineering Evaluation 16-E04, Revision 1, Description of BFN Heat Exchanger Test Data Evaluation," dated June 2016, has been placed in the NRC's Public Document Room and added to the NRC Library under ADAMS Accession No. ML16216A699.

The Zachry affidavit dated July 26, 2016, 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 Zachry Nuclear Engineering.
- (e) The information is vital to a competitive advantage held by Zachry Nuclear Engineering, would be helpful to competitors to Zachry Nuclear Engineering, and would likely cause substantial harm to the competitive position of Zachry Nuclear Engineering.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, 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, please contact me at (301) 415-1447 or Farideh.Saba@nrc.gov.

Sincerely,



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

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

cc: Mr. Christopher D'Angelo
Senior Director, Analysis Division
Zachry Nuclear Engineering, Inc.
14 Lords Hill Road
Stonington, CT 06378

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/RA/

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

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

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