



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

June 27, 2017

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

SUBJECT: WATTS BAR NUCLEAR PLANT, UNIT 2 – REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (CAC NO. MF8993)

Dear Mr. Shea:

By letter dated May 19, 2017, you submitted an affidavit dated May 4, 2017, executed by Mr. James A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company LLC, requesting 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) 2.390:

Response to Request for Additional Information Related to License Amendment Request to Revise Technical Specifications Regarding Ice Condenser Containment Ice Mass Requirements for Watts Bar Nuclear Plant, Unit 2 (CAC No. MF8993) (Proprietary)
[Enclosure 1 to the letter dated May 19, 2017]

A nonproprietary version of Enclosure 1 is provided as Enclosure 2 to the letter dated May 19, 2017, and has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in the Agencywide Documents Access and Management System under Accession No. ML17139C939.

The affidavit dated May 4, 2017, stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (4)(iii)(a) The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.
- (b) It is information that is marketable in many ways. The extent to which such information is available to competitors diminishes the Westinghouse ability to sell products and services involving the use of the information.
- (c) Use by our competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at our expense.
- (d) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire puzzle, thereby depriving Westinghouse of a competitive advantage.

- (e) Unrestricted disclosure would jeopardize the position of prominence of Westinghouse in the world market, and thereby give a market advantage to the competition of those countries.
- (f) The Westinghouse capacity to invest corporate assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.

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 regarding this matter, please contact me at 301-415-6020 or Robert.Schaaf@nrc.gov.

Sincerely,



Robert G. Schaaf, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-391

cc: Mr. James A. Gresham
Manager, Regulatory Compliance
Westinghouse Electric Company
1000 Westinghouse Drive
Cranberry Township, PA 16066

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SUBJECT: WATTS BAR NUCLEAR PLANT, UNIT 2 – REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (CAC NO. MF8993) DATED JUNE 27, 2017

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