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 GRIDLEY,R. Tennessee Valley Authority
 RECIP.NAME RECIPIENT AFFILIATION
 Document Control Branch (Document Control Desk)

SUBJECT: Forwards nonproprietary TVA-BCD-906N & proprietary
 TVA-BCD-906 repts,entitled, "Summary Rept for Browns Ferry
 Nuclear Plant Unit 2,Cycle 6 Insp & Reconstitution Program."
 Proprietary rept withheld (ref 10CFR2.790).

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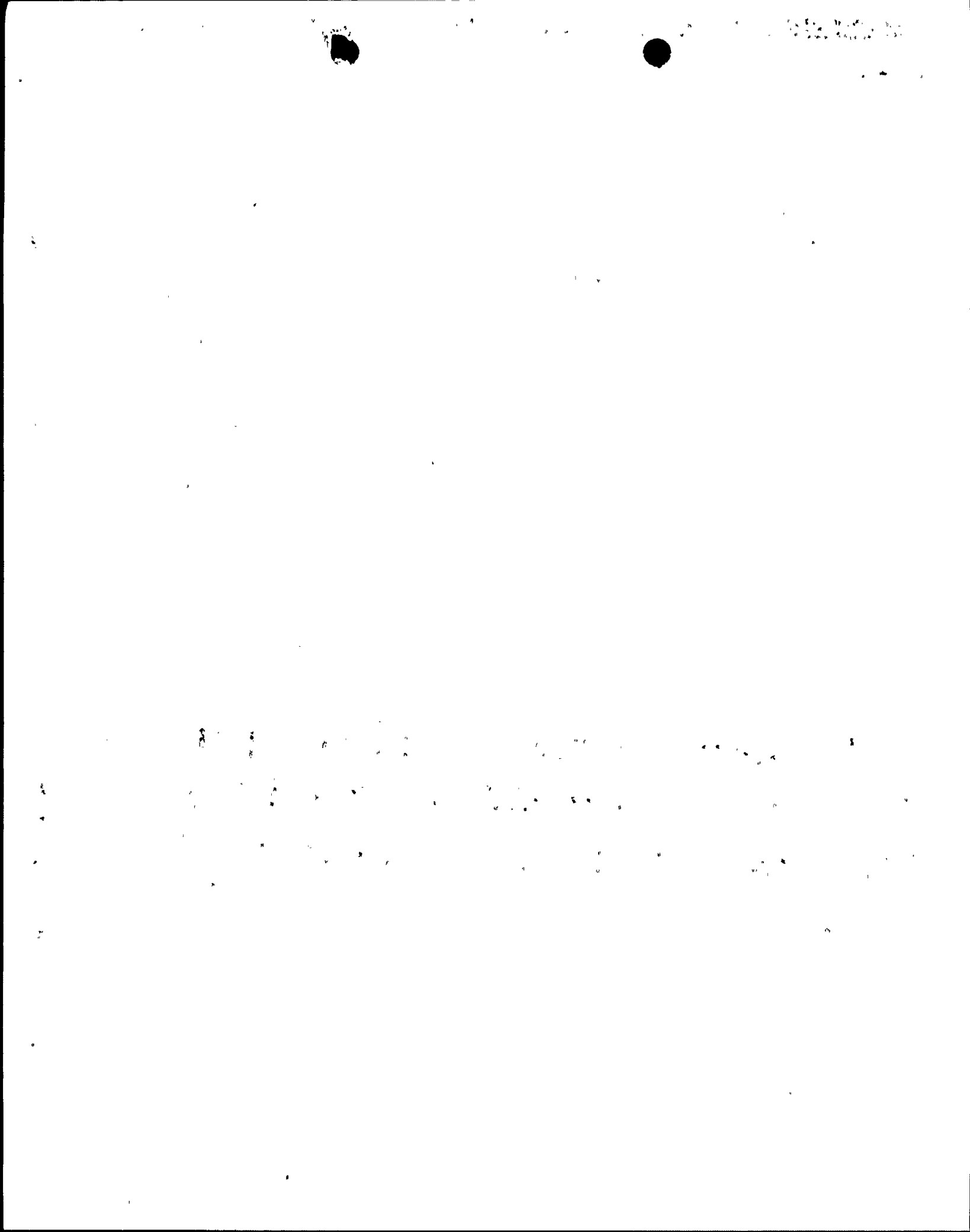
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ACCELERATED DISTRIBUTION DEMONSTRATION SYSTEM
 REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR: 8811020409 DOC. DATE: 88/10/26 NOTARIZED: YES DOCKET #
 FACIL: 50-260 Browns Ferry Nuclear Power Station, Unit 2, Tennessee 05000260
 AUTH. NAME: GRIDLEY, R. AUTHOR AFFILIATION: Tennessee Valley Authority
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SUBJECT: Forwards summary rept of util fuel insp & reconstitution program containing proprietary info.

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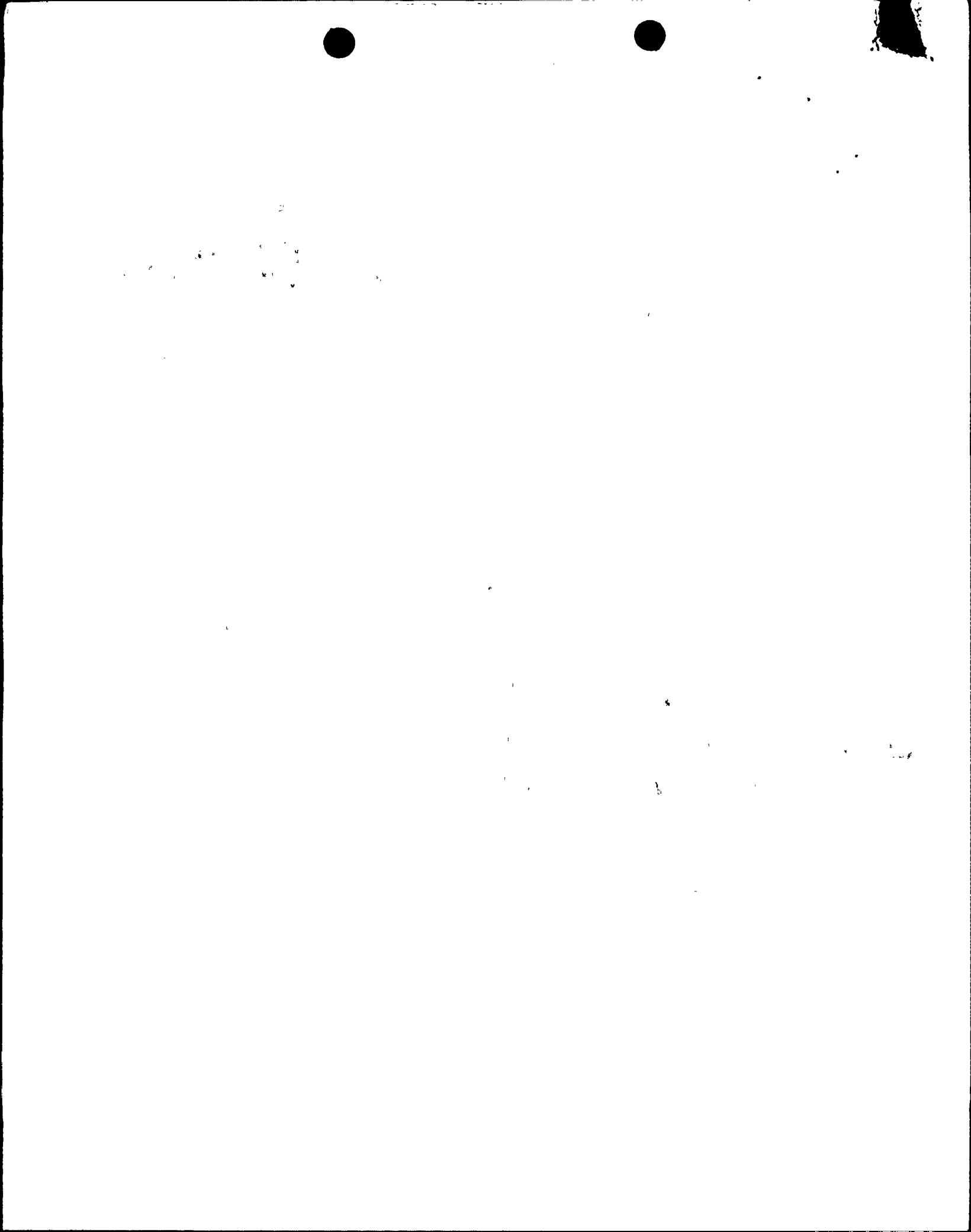
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	AEOD/DSP/TPAB		1	1	NUDOCS-ABSTRACT	1	1
	OGC/HDS2		1	0	REG FILE 01	1	1
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TENNESSEE VALLEY AUTHORITY

CHATTANOOGA, TENNESSEE 37401

5N 157B Lookout Place

OCT 26 1988

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

Gentlemen:

In the Matter of)
Tennessee Valley Authority)

Docket No. 50-260

BROWNS FERRY NUCLEAR PLANT (BFN) - SUMMARY REPORT OF BFN FUEL INSPECTION AND RECONSTITUTION PROGRAM-CONTAINING PROPRIETARY INFORMATION

Reference: M. J. Ray to NRC, August 26, 1988 "BFN - TVA Technical Specification No. 254"

The purpose of this letter is to transmit the enclosed summary report on the BFN Unit 2, Cycle 6 Inspection and Reconstitution Program. The Cycle 6 proposed technical specification changes were submitted by the referenced letter in August 1988. This summary provides the additional information on the Fuel Inspection and Reconstitution Program requested by the NRC staff to process that change.

Enclosed is the Summary Report for the Browns Ferry Nuclear Plant Unit 2, Cycle 6 Inspection and Reconstitution Program (TVA-BCD-906 Rev 0) (enclosure 2) and a non proprietary version of the same report (TVA-BCD-906N) (enclosure 3). As TVA-BCD-906 contains information proprietary to General Electric (GE) Company, it is supported by an affidavit (enclosure 1) signed by GE, the owner of the information. The affidavit sets forth the bases on which the information may be withheld from public disclosure by the Commission and addressee under the consideration listed in paragraph (b) (4) of 10 CFR 2.790. It is requested that the information which is proprietary to General Electric be withheld from public disclosure in accordance with 10 CFR Section 2.790 of the Commissions regulations.

Very truly yours,

TENNESSEE VALLEY AUTHORITY

Ralph N. Shell

for R. Gridley, Manager
Nuclear Licensing and
Regulatory Affairs

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Enclosures
cc: See page 2

Change: PAR
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Mr. Encl
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OCT 26 1988

U.S. Nuclear Regulatory Commission

cc (Enclosures):

Ms. S. C. Black, Assistant Director (PROPRIETARY)
for Projects
TVA Projects Division
U.S. Nuclear Regulatory Commission
One White Flint, North
11555 Rockville Pike
Rockville, Maryland 20852

Mr. F. R. McCoy, Assistant Director (PROPRIETARY)
for Inspection Programs
TVA Projects Division
U.S. Nuclear Regulatory Commission
Region II
101 Marietta Street, NW, Suite 2900
Atlanta, Georgia 30323

Browns Ferry Resident Inspector (PROPRIETARY)
Browns Ferry Nuclear Plant
Route 12, Box 637
Athens, Alabama 35611

Enclosure 1

Affidavit from General Electric Company



GE Nuclear Energy

General Electric Company,
175 Curtner Avenue, San Jose, CA 95125

October 19, 1988
DGC:88-197

cc: J. S. Charnley
D. H. Marks
J. T. Robert

Mr. J. D. Robertson
Manager, Nuclear Fuel
Tennessee Valley Authority
IBM 3N-11
535 Chestnut Street
Chattanooga, TN 37401

SUBJECT: Affidavit of Proprietary Information

REFERENCE: Letter, JT Robert to DG Churlik, "Summary Report for Browns Ferry Nuclear Plant Unit 2 Inspection/Reconstitution Program", October 14, 1988

Dear Mr. Robertson:

The enclosed affidavit is provided for your use with the referenced report and attests to the proprietary nature of information contained in the report.

In addition to the information already designated as "General Electric Company Proprietary", additional sections from the report which should likewise be identified have been marked and are enclosed with this transmittal.

Please call if you have any questions.

Very truly yours,

David G. Churlik
Fuel Project Manager
TVA Projects
M/C 174; (408) 925-6450

DGC:dgc
Enclosures

GENERAL ELECTRIC COMPANY

AFFIDAVIT

I, Janice Charnley, being duly sworn, depose and state as follows:

1. I am Manager, Fuel Licensing, General Electric Company, and have been delegated the function of reviewing the information described in paragraph 2 which is sought to be withheld and have been authorized to apply for its withholding.
2. The information sought to be withheld is contained in the document "Summary Report for the Browns Ferry Nuclear Plant Unit 2, Cycle 6 Inspection and Reconstitution Program," TVA-BCD-906, Rev. 0, August 1988.
3. In designating material as proprietary, General Electric utilizes the definition of proprietary information and trade secrets set forth in the American Law Institute's Restatement of Torts, Section 757. This definition provides:

"A trade secret may consist of any formula, pattern, device or compilation of information which is used in one's business and which gives him an opportunity to obtain an advantage over competitors who do not know or use it.... A substantial element of secrecy must exist, so that, except by the use of improper means, there would be difficulty in acquiring information.... Some factors to be considered in determining whether given information is one's trade secret are: (1) the extent to which the information is known outside of his business; (2) the extent to which it is known by employees and others involved in his business; (3) the extent of measures taken by him to guard the secrecy of the information; (4) the value of the information to him and to his competitors; (5) the amount of effort or money expended by him in developing the information; (6) the ease or difficulty with which the information could be properly acquired or duplicated by others."

4. Some examples of categories of information which fit into the definition of proprietary information are:
 - a. Information that discloses a process, method or apparatus where prevention of its use by General Electric's competitors without license from General Electric constitutes a competitive economic advantage over other companies;

- b. Information consisting of supporting data and analyses, including test data, relative to a process, method or apparatus, the application of which provide a competitive economic advantage, e.g., by optimization or improved marketability;
 - c. 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;
 - d. Information which reveals cost or price information, production capacities, budget levels or commercial strategies of General Electric, its customers or suppliers;
 - e. Information which reveals aspects of past, present or future General Electric customer-funded development plans and programs of potential commercial value to General Electric;
 - f. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection;
 - g. Information which General Electric must treat as proprietary according to agreements with other parties.
5. Initial approval of proprietary treatment of a document is typically made by the Subsection manager of the originating component, the person who is most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge. Access to such documents within the Company is limited on a "need to know" basis and such documents are clearly identified as proprietary.
6. The procedure for approval of external release of such a document typically requires review by the Subsection Manager, Project Manager, Principal Scientist or other equivalent authority, by the Subsection Manager of the cognizant Marketing function (or delegate) and by the Legal Operation for technical content, competitive effect and determination of the accuracy of the proprietary designation in accordance with the standards enumerated above. Disclosures outside General Electric are generally limited to regulatory bodies, customers and potential customers and their agents, suppliers and licensees then only with appropriate protection by applicable regulatory provisions or proprietary agreements.
7. The document mentioned in paragraph 2 above has been evaluated in accordance with the above criteria and procedures and has been found to contain information which is proprietary and which is customarily held in confidence by General Electric.



10-1-2

8. The information to the best of my knowledge and belief has consistently been held in confidence by the General Electric Company, no public disclosure has been made, and it is not available in public sources. All disclosures to third parties have been made pursuant to regulatory provisions of proprietary agreements which provide for maintenance of the information in confidence.
9. Public disclosure of the information sought to be withheld is likely to cause substantial harm to the competitive position of the General Electric Company and deprive or reduce the availability of profit making opportunities because it would provide other parties, including competitors, with valuable information.

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) ss:

Janice Charnley, being duly sworn, deposes and says:

That she has read the foregoing affidavit and the matters stated therein are true and correct to the best of her knowledge, information, and belief.

Executed at San Jose, California, this 18th day of October, 1988.

Janice Charnley
Janice Charnley
General Electric Company

Subscribed and sworn before me this 18th day of October 1988.

Mary L. Kendall
NOTARY PUBLIC, STATE OF CALIFORNIA

