



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

May 15, 2018

Mr. Joseph W. Shea
Vice President, Nuclear Regulatory Affairs
and Support Services
Tennessee Valley Authority
1101 Market Street, LP 4A
Chattanooga, TN 37402-2801

SUBJECT: WATTS BAR NUCLEAR PLANT, UNITS 1 AND 2 – REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(EPID L-2017-LLA-0247)

Dear Mr. Shea:

By letter dated December 20, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17354B282), as supplemented by letters dated February 15 and April 9, 2018 (ADAMS Accession Nos. ML18047A181 and ML18100A953, respectively) Tennessee Valley Authority (TVA or the licensee) submitted an affidavit dated October 2, 2017, executed by Kimberly Manzione of Holtec International, requesting that information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390:

HI-2177876, "Licensing Report for the Criticality Safety Analysis of the Watts Bar Nuclear Plant Spent Fuel Pool," dated September 25, 2017

The information was included in Enclosure 3 to TVA's letter dated December 20, 2017. A nonproprietary version of HI-2177876, designated as Enclosure 4, to TVA's letter dated December 20, 2017, has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to ADAMS in the NRC Library at Accession No. ML17354B282.

The affidavit stated that the information sought to be withheld is considered to be proprietary for the reasons below:

- (a) Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by Holtec's competitors without license from Holtec International constitutes a competitive economic advantage over other companies;
- (b) 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.
- (e) Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

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 version 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, 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) 415-3100 or John.Lamb@nrc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "John G. Lamb". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

John G. Lamb, Senior Project Manager
Special Projects and Process Branch
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-390 and 50-391

cc: Ms. Kimberly Manzione
Licensing Manager
Holtec International
1 Holtec Drive
Camden, NJ 08104

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