

**Proprietary Information Withhold from Public Disclosure
Under 10 CFR 2.390
This letter is decontrolled when separated from Attachment 1**



Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402

CNL-18-140

December 13, 2018

10 CFR 50.90

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Browns Ferry Nuclear Plant, Units 1, 2, and 3
Renewed Facility Operating License Nos. DPR-33, DPR-52, and DPR-68
NRC Docket Nos. 50-259, 50-260, and 50-296

Subject: **Proposed Technical Specifications (TS) Change TS-510 - Request for License Amendments - Maximum Extended Load Line Limit Analysis Plus - Supplement 4, Response to Request for Additional Information**

- References:
1. Letter from TVA to NRC, CNL-18-002, "Proposed Technical Specifications (TS) Change TS-510 - Request for License Amendments - Maximum Extended Load Line Limit Analysis Plus," dated February 23, 2018 (ML18057B276)
 2. Letter from NRC to TVA, "Browns Ferry Nuclear Plant - Request for Additional Information Regarding Maximum Extended Load Line Limit Analysis Limit Plus License Amendment Request (EPID: L-2018-LLA-0048)," dated November 20, 2018 (ML18312A427)

By the Reference 1 letter, Tennessee Valley Authority (TVA) submitted a request for a Technical Specification (TS) amendment (TS-510) to Renewed Facility Operating License Nos. DPR-33, DPR-52, and DPR-68 for Browns Ferry Nuclear Plant (BFN) Units 1, 2, and 3, respectively. The proposed amendment allows operation in the expanded Maximum Extended Load Line Limit Analysis Plus (MELLLA+) operating domain and use of the Detect and Suppress Solution - Confirmation Density (DSS-CD) stability solution. During their technical review of the LAR, the Nuclear Regulatory Commission (NRC) identified the need for additional information. The Reference 2 letter provided, in part, an NRC Request for Additional Information (RAI) related to the replacement steam dryers (RSDs). The due date for the response to the RSD-related NRC RAI provided by the Reference 2 letter is December 14, 2018. Attachment 1 to this letter provides the response to the RSD-related RAI included in the Reference 2 letter.

General Electric - Hitachi Nuclear Energy Americas LLC (GEH) considers the information provided in Attachment 1 to this letter to be proprietary and, therefore, exempt from public disclosure pursuant to 10 CFR 2.390. An affidavit for withholding information, executed by GEH, is provided in Attachment 3. Attachment 2 to this letter provides a non-proprietary version of the response to the RAI provided in Attachment 1. Therefore, on behalf of GEH, TVA requests that Attachment 1 be withheld from public disclosure in accordance with the GEH affidavit and the provisions of 10 CFR 2.390.

TVA has reviewed the information supporting a finding of no significant hazards consideration and the environmental consideration provided to the NRC in the Reference 1 letter. The supplemental information provided in this submittal does not affect the bases for concluding that the proposed license amendment does not involve a significant hazards consideration. In addition, the supplemental information in this submittal does not affect the bases for concluding that neither an environmental impact statement nor an environmental assessment needs to be prepared in connection with the proposed license amendment. Additionally, in accordance with 10 CFR 50.91(b)(1), TVA is sending a copy of this letter to the Alabama State Department of Public Health.

There are no new regulatory commitments associated with this submittal. If there are any questions or if additional information is needed, please contact Michael A. Brown at (423) 751-3275.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 13th day of December 2018.

Respectfully,



E. K. Henderson
Director, Nuclear Regulatory Affairs

Attachments:

1. Response to NRC Request for Additional Information EMIB RAI-1 (Proprietary)
2. Response to NRC Request for Additional Information EMIB RAI-1 (Non-proprietary)
3. Affidavit

cc:

NRC Regional Administrator - Region II
NRC Senior Resident Inspector - Browns Ferry Nuclear Plant
State Health Officer, Alabama Department of Public Health

ATTACHMENT 1

**Response to NRC Request for Additional Information
EMIB RAI-1
(Proprietary)**

ATTACHMENT 2

**Response to NRC Request for Additional Information
EMIB RAI-1
(Non-proprietary)**

ATTACHMENT 2

DOC-0007-4283-137

Response to EMIB-RAI-01 in Support of BFN MELLLA+ LAR

Non-Proprietary Information

NON-PROPRIETARY NOTICE

This is a non-proprietary version of Attachment 1 of DOC-0007-4283-137 which has the proprietary information removed. Portions of the document that have been removed are indicated by an open and closed bracket as shown here [[]].

EMIB-RAI-01

Steam Dryer is a safety significant component that is required to maintain its structural integrity so that no loose parts are generated. Any loose parts from steam dryer can affect safety related components in performing their safety function. In Section 3.4.2 of Attachment 5 (page 3-13 of General Electric Hitachi Report NEDC-33877P, Revision 0) to LAR dated February 23, 2018, TVA provided the minimum alternating stress ratio (MASR) at limiting or maximum stress location due to high cycle fatigue for the replacement steam dryers (RSDs). The MASR is needed to verify the structural integrity of the RSDs for the combined extended power uprate (EPU) and MELLLA+ operating conditions. The [[

power ascension data, the [[

]]. Based on BFN Unit 3
]]. Provide the updated MASR value and the limiting location for the RSDs for the combined EPU and MELLLA+ operating conditions to ensure that the RSDs will maintain their structural integrity.

GEH Response

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References

1. GE Hitachi Nuclear Energy, “Browns Ferry Nuclear Plant Unit 3 Replacement Steam Dryer EPU Full Re-Analysis and Benchmarking Report (PBLE01),” NEDC-33894P, Revision 0, October 2018.
2. GE Hitachi Nuclear Energy, “Browns Ferry Nuclear Plant Unit 3 Replacement Steam Dryer EPU Full Re-Analysis and Benchmarking Report (PBLE02),” NEDC-33895P, Revision 0, October 2018.
3. GE Hitachi Nuclear Energy, “Browns Ferry Replacement Steam Dryer Stress Analysis,” NEDC-33824P, Revision 0, August 2015.

ATTACHMENT 3

Affidavit

GE-Hitachi Nuclear Energy Americas LLC

AFFIDAVIT

I, **Lisa K. Schichlein**, state as follows:

- (1) I am a Senior Project Manager, NPP/Services Licensing, Regulatory Affairs, GE-Hitachi Nuclear Energy Americas LLC (“GEH”), 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 Attachment 1 of GEH letter, DOC-0007-4283-137, “GEH Response to MELLLA+ Request for Additional Information EMIB-RAI-01,” dated November 27, 2018. The GEH proprietary information in Attachment 1, which is entitled “Response to EMIB-RAI-01 in Support of BFN MELLLA+ LAR,” is identified by a dotted underline inside double square brackets. [[This sentence is an example.^{3}]] In each case, the superscript notation ^{3} refers to Paragraph (3) of this affidavit, which provides the basis for the proprietary determination.
- (3) In making this application for withholding of proprietary information of which it is the owner or licensee, GEH relies upon the exemption from disclosure set forth in the *Freedom of Information Act* (“FOIA”), 5 U.S.C. Sec. 552(b)(4), and the *Trade Secrets Act*, 18 U.S.C. Sec. 1905, and NRC regulations 10 CFR 9.17(a)(4), and 2.390(a)(4) for trade secrets (Exemption 4). The material for which exemption from disclosure is here sought also qualifies under the narrower definition of trade secret, within the meanings assigned to those terms for purposes of FOIA Exemption 4 in, respectively, Critical Mass Energy Project v. Nuclear Regulatory Commission, 975 F.2d 871 (D.C. Cir. 1992), and Public Citizen Health Research Group v. FDA, 704 F.2d 1280 (D.C. Cir. 1983).
- (4) The information sought to be withheld is considered to be proprietary for the reasons set forth in paragraphs (4)a. and (4)b. Some examples of categories of information that fit into the definition of proprietary information are:
 - a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GEH's competitors without license from GEH constitutes a competitive economic advantage over other companies;
 - b. Information that, if used by a competitor, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;
 - c. Information that reveals aspects of past, present, or future GEH customer-funded development plans and programs, resulting in potential products to GEH;
 - d. Information that discloses trade secret or potentially patentable subject matter for which it may be desirable to obtain patent protection.
- (5) To address 10 CFR 2.390(b)(4), the information sought to be withheld is being submitted to NRC in confidence. The information is of a sort customarily held in confidence by GEH,

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and is in fact so held. The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by GEH, not been disclosed publicly, and not been made available in public sources. All disclosures to third parties, including any required transmittals to the NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary or confidentiality agreements that provide for maintaining the information in confidence. The initial designation of this information as proprietary information, and the subsequent steps taken to prevent its unauthorized disclosure, are as set forth in the following paragraphs (6) and (7).

- (6) Initial approval of proprietary treatment of a document is made by the manager of the originating component, who is the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge, or who is the person most likely to be subject to the terms under which it was licensed to GEH.
- (7) The procedure for approval of external release of such a document typically requires review by the staff manager, project manager, principal scientist, or other equivalent authority for technical content, competitive effect, and determination of the accuracy of the proprietary designation. Disclosures outside GEH are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary or confidentiality agreements.
- (8) The information identified in paragraph (2), above, is classified as proprietary because it contains detailed results and conclusions regarding supporting evaluations of the safety-significant changes necessary to demonstrate the regulatory acceptability of the Maximum Extended Load Line Limit Analysis Plus analysis for a GEH Boiling Water Reactor (“BWR”). The analysis utilized analytical models and methods, including computer codes, which GEH has developed, obtained NRC approval of, and applied to perform evaluations of Maximum Extended Load Line Limit Analysis Plus for a GEH BWR.

The development of the evaluation processes along with the interpretation and application of the analytical results is derived from the extensive experience and information databases that constitute a major GEH asset.

- (9) Public disclosure of the information sought to be withheld is likely to cause substantial harm to GEH's competitive position and foreclose or reduce the availability of profit-making opportunities. The information is part of GEH's comprehensive BWR safety and technology base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and analytical methodology and includes development of the expertise to determine and apply the appropriate evaluation process. In addition, the technology base includes the value derived from providing analyses done with NRC-approved methods.

The research, development, engineering, analytical and NRC review costs comprise a substantial investment of time and money by GEH. The precise value of the expertise to devise an evaluation process and apply the correct analytical methodology is difficult to

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quantify, but it clearly is substantial. GEH's competitive advantage will be lost if its competitors are able to use the results of the GEH experience to normalize or verify their own process or if they are able to claim an equivalent understanding by demonstrating that they can arrive at the same or similar conclusions.

The value of this information to GEH would be lost if the information were disclosed to the public. Making such information available to competitors without their having been required to undertake a similar expenditure of resources would unfairly provide competitors with a windfall, and deprive GEH of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment in developing and obtaining these very valuable analytical tools.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 26th day of November 2018.



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