



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

October 21, 1995  
August

50-259/260/296  
Date Per  
D. Lanham

Mr. Oliver D. Kingsley, Jr.  
President, TVA Nuclear and  
Chief Nuclear Officer  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, Tennessee 37402-2801

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
BROWNS FERRY UNITS 1, 2, AND 3 (TAC NOS. M92503, M92504, AND M92505)

Dear Mr. Kingsley:

By a Tennessee Valley Authority (TVA) letter dated June 2, 1995, and George B. Stramback of General Electric Company (GE) affidavit dated April 6, 1995, executed at San Jose, California, the General Electric Company submitted NEDC-32433P, "Maximum Extended Load Line Limit [MELLL] and ARTS [average power range monitor and rod block monitor technical specifications] Improvement Program Analyses for Browns Ferry Nuclear Plant Unit 1, 2, and 3, Class III (GE Proprietary Information)" and requested that NEDC-32433P be withheld from public disclosure pursuant to 10 CFR 2.790. The information which is proprietary in NEDC-32433P is delineated by bars marked in the margin adjacent to the specific material. It contains current hardware and software arrangement justified from numerous tests and applications, detailed results of analytical methods including computer codes, which GE has developed, obtained NRC approval of, and applied to perform transient conditions for the BWR.

The affidavit stated that the information submitted should be considered exempt from mandatory public disclosure for the following reasons:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, 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 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;

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information. Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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Mr. O. Kingsley

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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.

Sincerely,

Original signed by

Joseph F. Williams, Project Manager  
Project Directorate II-3  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

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

cc: See next page

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Mr. Oliver D. Kingsley, Jr.  
Tennessee Valley Authority

BROWNS FERRY NUCLEAR PLANT

cc:

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