



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

May 28, 2020

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

SUBJECT: SEQUOYAH NUCLEAR PLANT, UNITS 1 AND 2 – REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
(EPID L-2020-LLA-0004)

Dear Mr. Barstow:

By letter dated May 14, 2020 (Agencywide Documents Access and Management System Accession No. ML20135H067), you submitted an affidavit dated May 4, 2020, executed by Carrie Stokes, Senior Vice President for Barge Design Solutions, Inc., requesting that the information contained in the following document be withheld from public disclosure pursuant to Section 2.390 of Title 10 of the *Code of Federal Regulations* (10 CFR):

Software Dedication Report, PMP Evaluation Tool Package, SDR 16-01

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

- (a) The information reveals details of Barge Design Solutions, Inc.'s research and development processes or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for Barge Design Solutions, Inc. in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by Barge Design Solutions, Inc., would be helpful to competitors, and would likely cause substantial harm to the competitive position of Barge Design Solutions, Inc.

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. In addition, we have determined that the document contains extensive proprietary information to an extent that a non-proprietary (i.e., redacted) version would be of no value to the public. The U.S. Nuclear Regulatory Commission (NRC) staff notes that pages 1 through 22 of the enclosure contain the statement, "UNCONTROLLED WHEN REPRODUCED," in the footer. The NRC staff has confirmed with your staff that the footer statement refers to whether or not the document is controlled through the change control process, and does not impact the proprietary determination.

Therefore, the "Software Dedication Report, PMP Evaluation Tool Package, SDR 16-01," 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 301-415-6459 or [Michael.Wentzel@nrc.gov](mailto:Michael.Wentzel@nrc.gov).

Sincerely,

Michael Wentzel, Project Manager  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-327 and 50-328

cc: Listserv

Ms. Carrie Stokes  
Senior Vice President  
Barge Design Solutions, Inc.

SUBJECT: SEQUOYAH NUCLEAR PLANT, UNITS 1 AND 2 – REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (EPID L-2020-LLA-0004) DATED MAY 28, 2020

**DISTRIBUTION:**

PUBLIC

PM File Copy

RidsNrrDorlLpl2-2

RidsNrrPMSequoyah

RidsNrrLABAbeywickrama

RidsACRS\_MailCTR

RidsRgn2MailCenter

RidsOgcMailCenter Resource

**ADAMS Accession No.: ML20141L767**

OFFICE	DORL/LPL2-2/PM	DORL/LPL2-2/LA	DORL/LPL2-2/BC	DORL/LPL2-2/PM
NAME	MWentzel	BAbeywickrama	UShoop	MWentzel
DATE	05/26/2020	05/21/2020	05/27/2020	05/28/2020

**OFFICIAL RECORD COPY**