



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

February 15, 2022

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-LA-0004)

Dear Mr. Barstow:

By letter dated August 13, 2021, Tennessee Valley Authority (the licensee) submitted an affidavit dated April 9, 2021, executed by Carrie Stokes, Senior Vice President, Barge Design Solutions, Inc., requesting that information contained in the following be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

Enclosure 2 - DVD and List of Contents (Only the SDR 16-01, Revision 3 contains Proprietary Information)

A nonproprietary copy of the document is available in the Agencywide Documents Access and Management System at Accession No. ML21239A115.

Ms. Stoke's affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

6. The following criteria are customarily applied by Barge Design Solutions, Inc. to determine whether information should be classified as proprietary:
 - (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.

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed the submittal in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, has determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version(s) 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 regarding this matter, please contact me at (301) 415-1383 or Perry.Buckberg@nrc.gov.

Sincerely,

/RA/

Perry H. Buckberg, Senior 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: Ms. Carrie Stokes
Senior Vice President
Barge Design Solutions, Inc.
615 3rd Avenue S., Suite 700
Nashville, TN 37210

Listserv

SUBJECT: SEQUOYAH NUCLEAR PLANT, UNITS 1 AND 2 - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (EPID L-2020-LA-0004) DATED FEBRUARY 15, 2022

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