



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

July 23, 2009

Mr. Preston D. Swafford  
Chief Nuclear Officer and  
Executive Vice President  
Tennessee Valley Authority  
3R Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

SUBJECT: BROWNS FERRY NUCLEAR PLANT, UNIT 2 - REQUEST FOR WITHHOLDING  
PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE  
(TAC NO. MD5263) (TS-418)

Dear Mr. Swafford:

By letter dated June 25, 2004, the Tennessee Valley Authority (TVA) submitted the license amendment application for the extended power uprate (EPU) operation of Browns Ferry Nuclear Plant (BFN), Unit 2. The proposed amendment would change the operating license to increase the maximum authorized core thermal power level by approximately 14 percent to 3952 megawatts for BFN, Unit 2. By letter dated July 14, 2009, TVA submitted steam dryer analyses associated with the proposed EPU operation, and requested that Continuum Dynamics, Incorporated (C. D. I.) proprietary information included in Enclosures 1, 2 and 3 of this letter be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations (10 CFR), Part 2, Section 2.390. An affidavit dated June 18, 2009, executed by Alan J. Bilanin on behalf of C. D. I., and included as Enclosure 7 to your letter dated July 14, 2009, was provided requesting that information contained in the following documents be withheld from public disclosure pursuant to 10 CFR 2.390:

- Enclosure 1 to a letter dated July 14, 2009 – C. D. I. Report No. 09-13P, "Stress Assessment of Browns Ferry Nuclear Unit 2 Steam Dryer with Steam Dam, Outer Hood and Tie-Bar Reinforcements," Revision 0 (Proprietary Version).
- Enclosure 2 to a letter dated July 14, 2009 – C. D. I. Report No. 08-05P, "Acoustic and Low Frequency Hydrodynamic Loads at CLTP Power Level on Browns Ferry Nuclear Unit 2 Steam Dryer to 250 Hz," Revision 4 (Proprietary Version).
- Enclosure 3 to a letter dated July 14, 2009 – C. D. I. Report No. 08-13P, "Limit Curve Analysis with ACM Rev. 4 for Power Ascension at Browns Ferry Nuclear Unit 2," Revision 1 (Proprietary Version).

Nonproprietary copies of the above documents (Enclosures 4, 5 and 6 of your letter dated July 14, 2009) have been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

- (a) A process or method, including supporting data and analysis, where prevention of its use by C. D. I.'s competitors without license from C. D. I. constitutes a competitive 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;
- (c) Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

We have reviewed your letter dated July 14, 2009, and the enclosed material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the enclosure 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.

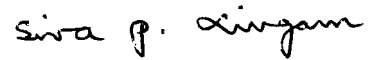
If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the 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.

P. Swafford

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If you have any questions regarding this matter, I may be reached at 301-415-1564.

Sincerely,

Handwritten signature of Siva P. Lingam in black ink.

Siva P. Lingam, Project Manager  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-260

cc: Mr. A. J. Bilanin  
President and Senior Associate  
Continuum Dynamics, Inc.  
34 Lexington Avenue  
Ewing, NJ 08618-2302.

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P. Swafford

- 3 -

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*/RA/*

Siva P. Lingam, Project Manager  
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