

April 27, 2016

Ms. April R. Rice, Manager
Nuclear Licensing
South Carolina Electric & Gas Company
14368 State Highway 213
Jenkinsville, SC 29065

SUBJECT: REQUEST FOR WITHHOLDING PROPRIETARY INFORMATION FROM
PUBLIC DISCLOSURE FOR VIRGIL C. SUMMER NUCLEAR STATION
UNITS 2 AND 3, "OPERATIONAL PROGRAM IMPLEMENTATION SCHEDULE
IN ACCORDANCE WITH LICENSE CONDITIONS 2.D. (11) AND 2.D.(12)(e),
ENCLOSURE 3"

Dear Ms. Rice:

By letter dated March 30, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16090A109), South Carolina Electric & Gas Company (SCE&G/licensee) submitted an affidavit dated March 30, 2016, signed by Ms. April Rice that requested the information contained in Enclosure 3, "Proprietary Version of VCSNS Units 2 and 3 Operational Program Implementation Schedule in Accordance With License Conditions 2.D.(11) and 2.D.(12)(e)," be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

A nonproprietary (redacted) version of the document may be found in Enclosure 2 to the March 30, 2016, submittal. The document may be found in the Nuclear Regulatory Commission's (NRC) Public Document Room and has been added to the NRC Library in ADAMS.

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

- (a) The information has been held in confidence by Westinghouse Electric Company (Westinghouse) and SCE&G.
- (b) The information is of a type customarily held in confidence by Westinghouse and SCE&G and not customarily disclosed to the public; a rational basis exists for making this determination.
- (c) The information was transmitted to and received by the Commission in confidence.
- (d) The information is not available in public sources.
- (e) Public disclosure of the information is likely to cause substantial harm to the competitive position of the owner of the information. The information sought to be withheld contains aspects of SCE&G's development plans, the release of which will likely cause harm by allowing other entities to gain competitive advantage through prior knowledge of SCE&G's construction and procurement plans.

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. 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, I may be reached at 301-415-5848.

Sincerely,

/RA/

William (Billy) Gleaves, Senior Project Manager
Licensing Branch 4
Division of New Reactor Licensing
Office of New Reactors

Docket Nos.: 52-027
52-028

cc: see next page

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. 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.

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/RA/

William (Billy) Gleaves, Senior Project Manager
Licensing Branch 4
Division of New Reactor Licensing
Office of New Reactors

Docket Nos.: 52-027
52-028

cc: see next page

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NRO-002

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(Revised 03/10/2016)

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