



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

October 7, 2016

Mr. Brian H. Whitley, Director
Regulatory Affairs
Southern Nuclear Operating Company, Inc.
42 Inverness Center Parkway
BIN B237
Birmingham, AL 35242

Mr. James A. Gresham, Manager
Regulatory Compliance
Westinghouse Electric Company
1000 Westinghouse Drive
Building 3, Suite 310
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SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR THE VOGTLE ELECTRIC GENERATING PLANT UNITS 3 AND 4 -
NONDESTRUCTIVE EXAMINATION FOR WELDS OF COUPLERS TO
STAINLESS STEEL EMBEDMENT PLATES (LAR-16-016), ENCLOSURE 2
(CAC NO. RP9535)

Dear Mr. Whitley and Mr. Gresham:

By letter dated August 29, 2016, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16242A399), Southern Nuclear Operating Company, Inc. (SNC) submitted an affidavit dated August 29, 2016, signed by Brian H. Whitley. The affidavit requested the information contained in the following document of License Amendment Request (LAR) Nondestructive Examination for Welds of Couplers to Stainless Steel Embedment Plates (LAR-16-016) be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

Enclosure 2 of SNC letter ND-16-1287 for Vogtle Electric Generating Plant (VEGP) Units 3 and 4 – Proprietary Information for Request for License Amendment: Nondestructive Examination for Welds of Couplers to Stainless Steel Embedment Plates (LAR-16-016) **(withheld information)**

A nonproprietary version of the document may be found in Enclosure 2 to the August 29, 2016, submittal (ADAMS Accession No. ML16242A399).

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

4. a. The information sought to be withheld from public disclosure has been held in confidence by SNC and Westinghouse Electric Company.
- b. The information is of a type customarily held in confidence by SNC and Westinghouse Electric Company and not customarily disclosed to the public.
- c. The release of the information might result in the loss of an existing or potential competitive advantage to SNC and/or Westinghouse Electric Company.

B. Whitley
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- d. Other reasons identified in Enclosure 5 of SNC letter ND-16-1287 for Vogtle Electric Generating Plant (VEGP) Units 3 and 4, Request for License Amendment: Nondestructive Examination for Welds of Couplers to Stainless Steel Embedment Plates (LAR-16-016), and those reasons are incorporated here by reference.

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 versions 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.

Sincerely,



Shawn A. Williams, Senior Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 52-025 and 52-026

cc: see next page

Vogtle Units 3 & 4 Mailing List

(Revised 10/01/2015)

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Sincerely,
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Shawn A. Williams, Senior Project Manager
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Docket Nos. 52-025 and 52-026

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