

**Southern Nuclear Operating Company**

**ND-19-0152**

**Enclosure 4**

**Vogtle Electric Generating Plant (VEGP) Units 3 and 4**

**Affidavit from Southern Nuclear Operating Company for Withholding Under 10 CFR  
2.390**


**(Enclosure 4 consist of 3 pages, including this cover page)**

**Affidavit of Michael J. Yox**

1. My name is Michael J. Yox. I am the Vogtle 3&4 Regulatory Affairs Director for Southern Nuclear Operating Company (SNC). I have been delegated the function of reviewing proprietary information sought to be withheld from public disclosure and am authorized to apply for its withholding on behalf of SNC.
2. I am making this affidavit on personal knowledge, in conformance with the provisions of 10 CFR Section 2.390 of the Commission's regulations, and in conjunction with Westinghouse Electric Company document APP-GW-GLY-246, Revision 0, which is titled, "Westinghouse Support for SNC Presentation to NRC on 2/14/2019" (Proprietary). I have personal knowledge of the criteria and procedures used by SNC to designate information as a trade secret, privileged or as confidential commercial or financial information.
3. Based on the reason(s) at 10 CFR 2.390(a)(4), this affidavit seeks to withhold from public disclosure Enclosures 3 and 6 of SNC letter ND-19-0152 for Vogtle Electric Generating Plant Units 3 and 4, Transmittal of Non-Proprietary and Proprietary Presentation Slides for NRC Public Meeting Scheduled for February 14, 2019 Regarding Functional Arrangement ITAAC and Functional Arrangement System Package Examples.
4. The following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.
  - 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.
5. Additionally, release of the information may harm SNC because SNC has a contractual relationship with the Westinghouse Electric Company regarding proprietary information. SNC is contractually obligated to seek confidential and proprietary treatment of the information.
6. The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.390, it is to be received in confidence by the Commission.
7. To the best of my knowledge and belief, the information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method.

I declare under penalty of perjury that the foregoing is true and correct.

  
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Michael J. Yox

Executed on 2/13/2019  
Date