



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

October 16, 2019

Mr. James A. Gresham, Manager
Regulatory Compliance
Westinghouse Electric Company
1000 Westinghouse Drive,
Building 3, Suite 310
Cranberry Township, PA 16066

Mr. Brian H. Whitley, Director
Regulatory Affairs
Southern Nuclear Operation Company, Inc.
3535 Colonnade Parkway,
Bin N-226-EC
Birmingham, AL 35243

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE, VOGTLE ELECTRIC GENERATING PLANT UNITS 3 AND 4,
RELATED TO REQUEST FOR LICENSE AMENDMENT REGARDING
PROTECTION AND SAFETY MONITORING SYSTEM SURVEILLANCE
REQUIREMENT REDUCTION TECHNICAL SPECIFICATION REVISION
(LAR-19-001 (WESTINGHOUSE CAW-19-4955))

Dear Mr. Gresham and Mr. Whitley:

By letter dated October 7, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19280E414), Southern Nuclear Operating Company (SNC) submitted affidavits in Enclosures 12 and 13, dated October 7, 2019, signed by Mr. Brian H. Whitley and Mr. Zachary S. Harper, respectively, requesting the information contained in Enclosure 8 be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. Enclosure 9 of the October 7, 2019, letter provides the non-proprietary version of Enclosures 8.

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

- (a) The information sought to be withheld from public disclosure is owned and has been held in confidence by SNC and Westinghouse Electric Company (Westinghouse);
- (b) The information is of a type customarily held in confidence by SNC and Westinghouse 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.
- (d) The information reveals the distinguishing aspects of a process (or component, structure, tool method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive advantage over other companies.
- (e) Its use 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 a similar product.

- (f) The information was transmitted to the Commission in confidence under the provisions of 10 CFR 2.390.
- (g) Public disclosure of the information is likely to cause substantial harm to the competitive position of Westinghouse and would enhance the ability of competitors to provide similar technical evaluation justification and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

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 affidavits, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version 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 301-415-1530.

Sincerely,

/RA/

Jennivine Rankin, Project Manager
Vogtle Project Office
Office of Nuclear Reactor Regulation

Docket Nos.: 52-025
52-026

cc: See next page

J. Gresham
B. Whitley

- 3 -

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE, VOGTLE ELECTRIC GENERATING PLANT UNITS 3 AND 4,
RELATED TO REQUEST FOR LICENSE AMENDMENT REGARDING
PROTECTION AND SAFETY MONITORING SYSTEM SURVEILLANCE
REQUIREMENT REDUCTION TECHNICAL SPECIFICATION REVISION
(LAR-19-001 (WESTINGHOUSE CAW-19-4955))

DISTRIBUTION:

PUBLIC

NRO_DNRL_LB2 Distribution

RidsOgcMailCenter Resource

CPatel

RButler

VHall

ADAMS Accession No.: ML19283C932

NRO-008

OFFICE	VPO/PM	VPO/LA	VPO/BC	VPO/PM
NAME	JRankin (c)	RButler	VHall	JRankin (s)
DATE	10/15/19	10/11/19	10/16/19	10/16/19

OFFICIAL RECORD COPY

Vogtle Units 3 & 4 Mailing List

(Revised 08/13/2019)

cc:

Southern Nuclear Operating Company, Inc.
Document Control Coordinator Bin N-226-EC
3535 Colonnade Parkway
Birmingham, AL 35243

Resident Inspector
Vogtle Plant Units 3 & 4
8805 River Road
Waynesboro, GA 30830

Office of the Attorney General
40 Capitol Square, SW
Atlanta, GA 30334

Mr. Barty Simonton
Team Leader
Environmental Radiation Program
Air Protection Branch
Environmental Protection Division
4244 International Parkway, Suite 120
Atlanta, GA 30354-3906

Resident Manager
Oglethorpe Power Corporation
Alvin W. Vogtle Nuclear Plant
7821 River Road
Waynesboro, GA 30830

Brian H. Whitley
3535 Colonnade Parkway, Bin N-226-EC
42 Inverness Center Parkway, BIN B237
Birmingham, AL 35243

Anne F. Appleby
Oglethorpe Power Corporation
2100 East Exchange Place
Tucker, GA 30084

Mr. Michael Yox
Site Regulatory Affairs Director
Vogtle Units 3 & 4
7825 River Road, Bin 63031
Waynesboro, GA 30830

County Commissioner
Office of the County Commissioner
Burke County Commission
Waynesboro, GA 30830

Mr. Wayne Guilfoyle
Commissioner District 8
Augusta-Richmond County Commission
4940 Windsor Spring Rd
Hephzibah, GA 30815

Gwendolyn Jackson
Burke County Library
130 Highway 24 South
Waynesboro, GA 30830

Mr. Reece McAlister
Executive Secretary
Georgia Public Service Commission
Atlanta, GA 30334

Vogtle Units 3 & 4 Mailing List

Email

acchambe@southernco.com (Amy Chamberlian)
agaughtm@southernco.com (Amy Aughtman)
awc@nei.org (Anne W. Cottingham)
becky@georgiawand.org (Becky Rafter)
bhwhitley@southernco.com (Brian Whitley)
Bill.Jacobs@gdsassociates.com (Bill Jacobs)
bjadams@southernco.com (Brad Adams)
bwwaites@southernco.com (Brandon Waites)
castelca@westinghouse.com (Curtis Castell)
comerj@westinghouse.com (James Comer)
crpierce@southernco.com (C.R. Pierce)
dahjones@southernco.com (David Jones)
david.hinds@ge.com (David Hinds)
david.lewis@pillsburylaw.com (David Lewis)
dgbost@southernco.com (Danny Bost)
dlfulton@southernco.com (Dale Fulton)
drculver@southernco.com (Randy Culver)
durhamdc@westinghouse.com (David Durham)
ed.burns@earthlink.net (Ed Burns)
edavis@pegasusgroup.us (Ed David)
erg-xl@cox.net (Eddie R. Grant)
fdhundle@southernco.com (Forrest Hundley)
fhwillis@southernco.com (Fred Willis)
G2NDRMDC@southernco.com (SNC Document Control)
George.Taylor@opc.com (George Taylor)
graysw@westinghouse.com (Scott W. Gray)
jadwilli@southernco.com (J.D. Williams)
james1.beard@ge.com (James Beard)
jantol1dj@westinghouse.com (David Jantosik)
jenmorri@southernco.com (Jennifer Buettner)
JHaswell@southernco.com (Jeremiah Haswell)
jim@ncwarn.org (Jim Warren)
John.Bozga@nrc.gov (John Bozga)
Joseph_Hegner@dom.com (Joseph Hegner)
jpredd@southernco.com (Jason R. Redd)
karen.patterson@ttnus.com (Karen Patterson)
karlg@att.net (Karl Gross)
kmstacy@southernco.com (Kara Stacy)
kroberts@southernco.com (Kelli Roberts)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
markus.popa@hq.doe.gov (Markus Popa)
mdmeier@southernco.com (Mike Meier)
media@nei.org (Scott Peterson)

Vogtle Units 3 & 4 Mailing List

Melissa.Smith@Hq.Doe.Gov (Melissa Smith)
mike.price@opc.com (M.W. Price)
MKWASHIN@southernco.com (MKWashington)
mlgraves@southernco.com (Michelle Graves)
MSF@nei.org (Marvin Fertel)
myox@southernco.com (Mike Yox)
nirsnet@nirs.org (Michael Mariotte)
Nuclaw@mindspring.com (Robert Temple)
Paul@beyondnuclear.org (Paul Gunter)
pbessette@morganlewis.com (Paul Bessette)
r.joshi15@comcast.net (Ravi Joshi)
Ronald.Jones@scana.com (Ronald Jones)
rwink@ameren.com (Roger Wink)
sabinski@suddenlink.net (Steve A. Bennett)
sara@cleanenergy.org (Sara Barczak)
sblanton@balch.com (Stanford Blanton)
Shiva.Granmayeh@hq.doe.gov (Shiva Granmayeh)
sjackson@meagpower.org (Steven Jackson)
skauffman@mpr.com (Storm Kauffman)
sroetger@psc.state.ga.us (Steve Roetger)
stephen.burdick@morganlewis.com (Stephen Burdick)
tom.miller@hq.doe.gov (Tom Miller)
TomClements329@cs.com (Tom Clements)
Vanessa.quinn@dhs.gov (Vanessa Quinn)
vcsummer2n3@gmail.com (Brian McIntyre)
wasparkm@southernco.com (Wesley A. Sparkman)
wayne.marquino@gmail.com (Wayne Marquino)
weave1dw@westinghouse.com (Doug Weaver)
William.Birge@hq.doe.gov (William Birge)
x2gabeck@southernco.com (Gary Becker)
x2kmseib@southernco.com (Kristin Seibert)