

July 24, 2001

Mr. David A. Christian
Senior Vice President-Nuclear
Virginia Electric and Power Company
5000 Dominion Blvd.
Glen Allen, Virginia 23060

SUBJECT: NORTH ANNA POWER STATION, UNITS 1 AND 2 AND SURRY POWER STATION, UNITS 1 AND 2 - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (TAC NOS. MB2212, MB2213, MB2176 AND MB2177)

Dear Mr. Christian:

By your application dated June 7, 2001, and affidavit executed by James P. O'Hanlon dated June 7, 2001, as supplemented July 2, 2001, you submitted proprietary documents entitled, "Application for Order and Conforming License Amendments for License Transfers Surry Power Station, Units 1 and 2, North Anna Power Station, Units 1 and 2," and "Application for Order and Conforming License Amendments for Special Nuclear Material License Transfers Surry Independent Spent Fuel Storage Installation, North Anna Independent Spent Fuel Storage Installation" and requested that they be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary copy of this document has been placed in the NRC public document room and added to the Agencywide Documents Access and Management Systems Publicly Available Records System (ADAMS PARS) Library.

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

- a. This information is and has been held in confidence by Dominion Generation.
- b. This information is of a type that is held in confidence by Dominion Generation, and there is a rational basis for doing so because the information contains sensitive financial information concerning Dominion Generation's projected revenues and operating expenses.
- c. This information is being transmitted to the NRC in confidence.
- d. This information is not available in public sources and could not be gathered readily from other publicly available information.
- e. Public disclosure of this information would create substantial harm to the competitive position of Dominion Generation by disclosing Dominion Generation's internal financial projections and the commercial terms of a unique transaction to other parties whose commercial interests may be adverse to those of Dominion Generation.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 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, we have determined that the documents entitled, "Application for Orders and Conforming License Amendments for License Transfers Surry Power Station, Units 1 and 2, North Anna Power Station, Units 1 and 2" and "Application for Order and Conforming License Amendments for Special Nuclear Material License Transfers Surry Independent Spent Fuel Storage Installation, North Anna Independent Spent Fuel Storage Installation" marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(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, contact either Gordon Edison at (301) 415-1448 or Stephen Monarque at (301) 415-1544.

Sincerely,

/RA/

Stephen R. Monarque, Project Manager
Project Directorate II-1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

/RA/

Gordon E. Edison, Sr. Project Manager
Project Directorate II-1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-280, 50-281, 50-338, and 50-339

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Sincerely,

/RA/

Stephen R. Monarque, Project Manager
Project Directorate II-1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

/RA/

Gordon E. Edison, Sr. Project Manager
Project Directorate II-1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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