

Southern Nuclear
Operating Company, Inc.
42 Inverness Center Parkway
Birmingham, AL 35242

MAR 20 2015



Docket Nos.: 52-025
52-026

ND-15-0312
10 CFR 50.90
10 CFR 52.98
10 CFR 2.390

U.S. Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555-0001

Southern Nuclear Operating Company
Vogtle Electric Generating Plant Units 3 and 4
Supplement to Request for License Amendment:
Human Factors Verification and Validation Plan Updates
to Support Integrated System Validation (LAR-15-001S1)

Ladies and Gentlemen:

By letter ND-15-0078, dated January 30, 2015, pursuant to 10 CFR 52.98 and in accordance with 10 CFR 50.90, Southern Nuclear Operating Company (SNC), the licensee for Vogtle Electric Generating Plant (VEGP) Units 3 and 4, requested an amendment to Combined License (COL) Numbers NPF-91 and NPF-92 for VEGP Units 3 and 4, respectively. SNC's License Amendment Request (LAR), LAR-15-001, proposed to depart from approved AP1000 Design Control Document (DCD) Tier 2* information as incorporated into the Updated Final Safety Analysis Report (UFSAR) by updating Human Factors (HF) Verification and Validation (V&V) Plans.

Letter ND-15-0078 included three enclosures (Enclosures 3P, 4P, and 5P) that provided copies of proprietary documents that are updated as part of LAR-15-001. An affidavit from SNC supporting withholding information under 10 CFR 2.390 was provided as Enclosure 6, and Westinghouse's Proprietary Information Notice and Copyright Notice and CAW-15-4070, Application for Withholding Proprietary Information from Public Disclosure and Affidavit were provided as Enclosure 7. It was subsequently discovered that the HF V&V Plans identified in Enclosure 7, Westinghouse's affidavit, did not align with the proprietary information that was sought to be withheld in Enclosures 3P, 4P and 5P.

This letter resolves this inconsistency by providing a revision to the Westinghouse affidavit contained in Enclosure 7 of letter ND-15-0078. Enclosure 8 provides Westinghouse's revised Proprietary Information Notice, Copyright Notice and CAW-15-4121, Application for Withholding Proprietary Information from Public Disclosure and Affidavit, and replaces Enclosure 7 in its entirety. The affidavit sets forth the basis upon which the information may be withheld from public disclosure by the Commission and addresses with specificity the considerations listed in paragraph (b)(4) of Section 2.390 of the Commission's regulations. Accordingly, it is respectfully requested that the information that is proprietary to Westinghouse be withheld from public disclosure in accordance with 10 CFR Section 2.390 of the Commission's regulations.

Correspondence with respect to the copyright or proprietary aspects of the items listed above or the supporting Westinghouse affidavit should reference CAW-15-4121 and should be addressed to Paul A. Russ, Director, U.S. Licensing & Regulatory Support, Westinghouse Electric Company, 1000 Westinghouse Drive, Building 1 Suite 512B, Cranberry Township, Pennsylvania 16066. Correspondence with respect to proprietary aspects of this letter and its enclosures should also be addressed to Wesley A. Sparkman at the contact information within this letter.

The revised affidavit in Enclosure 8 has no effect on the Human Factors Verification and Validation Plans contained in Enclosures 3P through 5NP of letter ND-15-0078, nor does it change the scope, or affect the Technical Evaluation or the conclusions of the Significant Hazards Consideration determination in the original license amendment request (LAR-15-001) submitted on January 30, 2015. This letter contains no regulatory commitments.

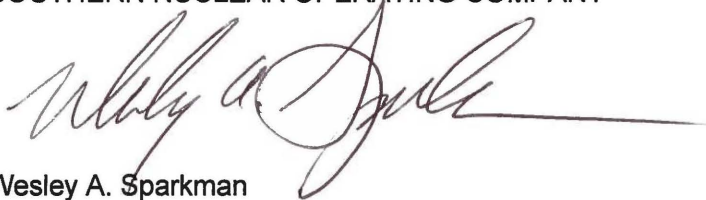
In accordance with 10 CFR 50.91, SNC is notifying the State of Georgia of this LAR supplement by transmitting a copy of this letter and enclosure to the designated State Official.

Should you have any questions, please contact Mr. Jason Redd at (205) 992-6435.

Mr. Wesley A. Sparkman states that: he the Regulatory Affairs Licensing Manager, Nuclear Development, of Southern Nuclear Operating Company; he is authorized to execute this oath on behalf of Southern Nuclear Operating Company; and to the best of his knowledge and belief, the facts set forth in this letter are true.

Respectfully submitted,

SOUTHERN NUCLEAR OPERATING COMPANY



Wesley A. Sparkman

WAS/CLW/ljs

Sworn to and subscribed before me this 20th day of March, 2015

Notary Public: Kristin Marie Seibert

My commission expires: August 16, 2016



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|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Enclosures 1) through 6) | (Previously submitted with the original LAR, LAR-15-001, in SNC letter ND-15-0078) |
| 7) | (Previously submitted with the original LAR, LAR-15-001, in SNC letter ND-15-0078; Enclosure 7 is replaced in its entirety by Enclosure 8) |
| Enclosure 8) | Westinghouse Authorization Letter CAW-15-4121 – Affidavit, Proprietary Information Notice and Copyright Notice |

cc:

Southern Nuclear Operating Company / Georgia Power Company

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Mr. J. A. Miller
Mr. D. G. Bost (w/o enclosure)
Mr. M. D. Meier
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Westinghouse Electric Company, LLC

Mr. T. C. Geer (w/o enclosure)
Mr. S. W. Gray (w/o enclosure)
Mr. L. Woodcock
Mr. P. A. Russ
Mr. G. F. Couture
Mr. M. Y. Shaqqo

Other

Mr. R. W. Prunty, Bechtel Power Corporation
Ms. K. K. Patterson, Tetra Tech NUS, Inc.
Dr. W. R. Jacobs, Jr., Ph.D., GDS Associates, Inc.
Mr. S. Roetger, Georgia Public Service Commission
Ms. S. W. Kernizan, Georgia Public Service Commission
Mr. K. C. Greene, Troutman Sanders
Mr. S. Blanton, Balch Bingham
Mr. R. Grumbir, APOG
Mr. J. R. Bouknight, South Carolina Electric & Gas Company
Mr. D. Kersey, South Carolina Electric & Gas Company
Mr. B. Kitchen, Duke Energy
Mr. S. Franzone, Florida Power & Light

Southern Nuclear Operating Company

ND-15-0312

Enclosure 8

Vogtle Electric Generating Plant (VEGP) Units 3 and 4

Westinghouse Authorization Letter CAW-15-4121, Affidavit, Proprietary Information

Notice and Copyright Notice

(LAR-15-001S1)

(This cover page and 7 additional pages)



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CAW-15-4121

March 13, 2015

APPLICATION FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE

Subject: Transmittal of Human Factors Engineering Verification and Validation Plans

The proprietary information for which withholding is being requested in the above-referenced report is further identified in Affidavit CAW-15-4121 signed by the owner of the proprietary information, Westinghouse Electric Company LLC. The Affidavit, which accompanies this letter, sets forth the basis on which the information may be withheld from public disclosure by the Commission and addresses with specificity the considerations listed in paragraph (b)(4) of 10 CFR Section 2.390 of the Commission's regulations.

Accordingly, this letter authorizes the utilization of the accompanying Affidavit by Southern Nuclear Company.

Correspondence with respect to the proprietary aspects of the Application for Withholding or the Westinghouse Affidavit should reference CAW-15-4122, and should be addressed to Paul A. Russ, Director, U.S. Licensing & Regulatory Support, Westinghouse Electric Company, 1000 Westinghouse Drive, Building 1 Suite 512B, Cranberry Township, Pennsylvania 16066.

Very truly yours,

A handwritten signature in cursive script that reads "Paul A. Russ".

Paul A. Russ, Director

U.S. Licensing & Regulatory Support


AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

ss

COUNTY OF BUTLER:

I, Paul A. Russ, am authorized to execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse), and that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

A handwritten signature in dark ink, appearing to read "Paul A. Russ", is written over a horizontal line.

Paul A. Russ, Director

U.S. Licensing & Regulatory Support

- (1) I am Director, U.S. Licensing & Regulatory Support, Westinghouse Electric Company LLC (Westinghouse), and as such, I have been specifically delegated the function of reviewing the proprietary information sought to be withheld from public disclosure in connection with nuclear power plant licensing and rule making proceedings, and am authorized to apply for its withholding on behalf of Westinghouse.
- (2) I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.390 of the Commission's regulations and in conjunction with the Westinghouse Application for Withholding Proprietary Information from Public Disclosure accompanying this Affidavit.
- (3) I have personal knowledge of the criteria and procedures utilized by Westinghouse in designating information as a trade secret, privileged or as confidential commercial or financial information.
- (4) Pursuant to the provisions of paragraph (b)(4) of Section 2.390 of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.
 - (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.
 - (ii) The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public. Westinghouse has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system constitute Westinghouse policy and provide the rational basis required.

Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:

- (a) 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 economic advantage over other companies.

- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
 - (c) 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.
 - (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
 - (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
 - (f) It contains patentable ideas, for which patent protection may be desirable.
- (iii) There are sound policy reasons behind the Westinghouse system which include the following:
- (a) The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.
 - (b) It is information that is marketable in many ways. The extent to which such information is available to competitors diminishes the Westinghouse ability to sell products and services involving the use of the information.
 - (c) Use by our competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at our expense.

- (d) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire puzzle, thereby depriving Westinghouse of a competitive advantage.
 - (e) Unrestricted disclosure would jeopardize the position of prominence of Westinghouse in the world market, and thereby give a market advantage to the competition of those countries.
 - (f) The Westinghouse capacity to invest corporate assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.
- (iv) 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.
- (v) 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 to the best of our knowledge and belief.
- (vi) The proprietary information sought to be withheld in this submittal is that which is appropriately marked in APP-OCS-GEH-120, "AP1000 Human Factors Engineering Design Verification Plan," Revision 3 (Proprietary), APP-OCS-GEH-220, "AP1000 Human Factors Engineering Task Support Verification Plan," Revision 4 (Proprietary), and APP-OCS-GEH-320, "AP1000 Human Factors Engineering Integrated System Validation Plan," Revision 6 (Proprietary), for submittal to the Commission, being transmitted by Southern Nuclear Company letter and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information as submitted by Westinghouse is that associated with the NRC review of the License Amendment Request within this submittal, and may be used only for that purpose.

- (a) This information is part of that which will enable Westinghouse to:
 - (i) Manufacture and deliver products to utilities based on proprietary designs.
- (b) Further this information has substantial commercial value as follows:
 - (i) Westinghouse plans to sell the use of similar information to its customers for the purpose of licensing of new nuclear power stations.
 - (ii) Westinghouse can sell support and defense of industry guidelines and acceptance criteria for plant-specific applications.
 - (iii) The information requested to be withheld reveals the distinguishing aspects of a methodology which was developed by Westinghouse.

Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar technical evaluation justifications 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.

The development of the technology described in part by the information is the result of applying the results of many years of experience in an intensive Westinghouse effort and the expenditure of a considerable sum of money.

In order for competitors of Westinghouse to duplicate this information, similar technical programs would have to be performed and a significant manpower effort, having the requisite talent and experience, would have to be expended.

Further the deponent sayeth not.

PROPRIETARY INFORMATION NOTICE

Transmitted herewith are proprietary and/or non-proprietary versions of documents furnished to the NRC in connection with requests for generic and/or plant-specific review and approval.

In order to conform to the requirements of 10 CFR 2.390 of the Commission's regulations concerning the protection of proprietary information so submitted to the NRC, the information which is proprietary in the proprietary versions is contained within brackets, and where the proprietary information has been deleted in the non-proprietary versions, only the brackets remain (the information that was contained within the brackets in the proprietary versions having been deleted). The justification for claiming the information so designated as proprietary is indicated in both versions by means of lower case letters (a) through (f) located as a superscript immediately following the brackets enclosing each item of information being identified as proprietary or in the margin opposite such information. These lower case letters refer to the types of information Westinghouse customarily holds in confidence identified in Sections (4)(ii)(a) through (4)(ii)(f) of the Affidavit accompanying this transmittal pursuant to 10 CFR 2.390(b)(1).

COPYRIGHT NOTICE

The reports transmitted herewith each bear a Westinghouse copyright notice. The NRC is permitted to make the number of copies of the information contained in these reports which are necessary for its internal use in connection with generic and plant-specific reviews and approvals as well as the issuance, denial, amendment, transfer, renewal, modification, suspension, revocation, or violation of a license, permit, order, or regulation subject to the requirements of 10 CFR 2.390 regarding restrictions on public disclosure to the extent such information has been identified as proprietary by Westinghouse, copyright protection notwithstanding. With respect to the non-proprietary versions of these reports, the NRC is permitted to make the number of copies beyond those necessary for its internal use which are necessary in order to have one copy available for public viewing in the appropriate docket files in the public document room in Washington, DC and in local public document rooms as may be required by NRC regulations if the number of copies submitted is insufficient for this purpose. Copies made by the NRC must include the copyright notice in all instances and the proprietary notice if the original was identified as proprietary.