

June 8, 2016

Mr. Mark Mitchell
Vice President – Generation Construction
Dominion Virginia Power
5000 Dominion Boulevard
Glen Allen, VA 23060

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR DOMINION VIRGINIA POWER

Dear Mr. Mitchell:

By letter dated May 19, 2016, you submitted an affidavit dated May 9, 2016, and another dated May 3, 2016, both executed by Patricia Campbell, Vice President, Washington Regulatory Affairs, GE-Hitachi Nuclear Energy Americas LLC, requesting that information in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

1. GNF-A proprietary report, WG3-002N9544, “North Anna Unit 3 Site-Specific GE14E Fuel Assembly Mechanical Design Report,” Revision 2, Class II (GNF-A Proprietary Information), May 2016; and
2. GE-H proprietary report, Report Number 002N8005, “North Anna 3 Control Rod Seismic Analysis,” Revision 2, Class II (GE-H Proprietary Information), May 2016; respectively

A nonproprietary copy of these documents provided in Enclosures 4 and 5 of the May 19, 2016, letter were placed in the U.S. Nuclear Regulatory Commission (NRC) Public Document Room and added to the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room (ADAMS Accession Nos. ML16146A278 and ML16146A279).

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

- i. The information sought to be withheld from public disclosure is owned and has been held in confidence by GNF-A (Document 1) and GE-H (Document 2).

- ii. The information is of a type customarily held in confidence by GNF-A and GE-H and not customarily disclosed to the public. GNF-A and GE-H have 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 constitutes GNF-A and GE-H policy and provides the rational basis required.
- iii. 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.
- iv. 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.
- v. The proprietary information sought to be withheld in this submittal is that which is appropriately marked in NA3-16-014 Enclosures 2 and 3, GNF-A proprietary report, WG3-002N9544, "North Anna Unit 3 Site-Specific GE14E Fuel Assembly Mechanical Design Report," Revision 2, Class II (GNF-A Proprietary Information), May 2016, and GE-H proprietary report, Report Number 002N8005, "North Anna 3 Control Rod Seismic Analysis," Revision 2, Class II (GE-H Proprietary Information), May 2016, for submittal to the Commission, being transmitted by Dominion Virginia Power letter and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information as submitted by Dominion Virginia Power is to assist the NRC in the review of the North Anna Unit 3 combined license application and may be used only for that purpose.

We have reviewed the May 19, 2016, letter and the affidavits in accordance with the requirements of 10 CFR 2.390 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, 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.

Mr. Mitchell

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If you have any questions regarding this matter, I may be reached at 301-415-8484 or Tom.Tai@nrc.gov.

Sincerely,

/RA/

Tom Tai, Senior Project Manager
Licensing Branch 3
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 05200017

cc: See next page

Mr. Mitchell

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If you have any questions regarding this matter, I may be reached at 301-415-8484 or Tom.Tai@nrc.gov.

Sincerely,

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NRO-002

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DATE		06/06/2016	6/7/16	6/8/16

OFFICIAL RECORD COPY

COL – North Anna Mailing List
cc:

(Revised 05/16/2016)

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