



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION II  
245 PEACHTREE CENTER AVENUE NE, SUITE 1200  
ATLANTA, GEORGIA 30303-1257

October 21, 2016

Southern Nuclear Operating Company, Inc.  
ATTN: Ms. Karen D. Fili  
Site Vice President,  
Plant Vogtle Units 3 & 4  
7825 River Road  
Waynesboro, GA 30830

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT UNITS 3 & 4 – REQUEST FOR  
WITHHOLDING OF PROPRIETARY INFORMATION FROM PUBLIC  
DISCLOSURE (ND-16-1764)

Dear Ms. Fili:

During the period of time from February 9, 2015 until August 12, 2016, Mr. John “Chuck” Howard, Lead Exam Writer, provided reference materials, job performance measures (JPMs), simulator scenarios, and written examination test items to our staff. These items were provided to facilitate the development and administration of the NRC Initial Licensing examination, which was originally scheduled for November 2015, and eventually administered during the time periods of July 18 – 28, 2016 (operating test) and August 3, 2016 (written exam).

On September 19, 2016, you submitted letter ND-16-1764, which contained a Westinghouse Application for Withholding Proprietary Information from Public Disclosure (CAW-16-4480), an accompanying Affidavit executed by the Director of Westinghouse AP1000 Configuration Control on September 16, 2016, Proprietary Information Notice, and Copyright Notice. The Westinghouse Application for Withholding Proprietary Information from Public Disclosure requested that the items listed in your letter ND-16-1764, items numbered 1, 3, 5, 7 and 9, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10CFR), Part 2, Section 2.390. The affidavit stated that the items should be considered exempt from mandatory public disclosure for the following reasons:

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.

Its use by a competitor would reduce expenditure of resources or improve a competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.

We have reviewed the Westinghouse AP1000 affidavit, CAW-16-4480, in accordance with the requirements of 10 CFR 2.390, and on the basis of its statements, we have determined that the submitted information contains proprietary commercial information and should be withheld from public disclosure. Therefore, the items listed in your letter ND-16-1764, which are designated 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.

Westinghouse AP1000 provided a non-proprietary version of each item listed in your letter. The nonproprietary version of each item listed, items numbered 2, 4, 6, 8 and 10, will be placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. 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 this matter, I may be reached at (404) 997-4662, (Internet E-mail: [Eugene.Guthrie@nrc.gov](mailto:Eugene.Guthrie@nrc.gov)).

Sincerely,

*/RA/*

Eugene F. Guthrie, Chief,  
Operations Branch 2  
Division of Reactor Safety

Docket Nos.: 52-025  
License Nos.: NPF-91

cc: See page 3

We have reviewed the Westinghouse AP1000 affidavit, CAW-16-4480, in accordance with the requirements of 10 CFR 2.390, and on the basis of its statements, we have determined that the submitted information contains proprietary commercial information and should be withheld from public disclosure. Therefore, the items listed in your letter ND-16-1764, which are designated 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.

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Sincerely,

**/RA/**

Eugene F. Guthrie, Chief,  
Operations Branch 2  
Division of Reactor Safety

Docket Nos.: 52-025  
License Nos.: NPF-91

cc: See page 3

PUBLICLY AVAILABLE       NON-PUBLICLY AVAILABLE       SENSITIVE       NON-SENSITIVE  
ADAMS:  Yes      ACCESSION NUMBER: ML16295A331       SUNSI REVIEW COMPLETE       FORM 665 ATTACHED

OFFICE	RII:DRS	RII:DRS					
SIGNATURE	<b>SXS31 VIA EMAIL</b>	<b>EFG</b>					
NAME	SHAH	GUTHRIE					
DATE	10/20/2016	10/21/2016	10/ /2016	10/ /2016	10/ /2016	10/ /2016	10/ /2016
E-MAIL COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY      DOCUMENT NAME: G:\OLEXAMS\AP-1000 EXAMS\2-VOGTLE APRIL 2016 EXAM\ADAMS\PROPRIETARY REQUEST LETTER\NRC RESPONSE REGARDING WITHHOLDING OF PROPRIETARY INFORMATION.DOCX

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**(Vogle Units 3 & 4 Mailing List cont'd)**

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Letter to Ms. Karen D. Fili from Mr. Eugene F. Guthrie dated October 21, 2016.

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT UNITS 3 & 4 – REQUEST FOR  
WITHHOLDING OF PROPRIETARY INFORMATION FROM PUBLIC  
DISCLOSURE (ND-16-1764)

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