



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

September 16, 2022

Ms. Cheryl A. Gayheart
Regulatory Affairs Director
Southern Nuclear Operating Co., Inc.
3535 Colonnade Parkway
Birmingham, AL 35243

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR SLIDES IN THE CLOSED SESSION OF THE PRE-SUBMITTAL MEETING REGARDING THE PROPOSED ONLINE MONITORING LICENSE AMENDMENT REQUEST FOR VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2 (EPID L-2022-LRM-0067)

Dear Ms. Gayheart:

On September 7, 2022, Southern Nuclear Operating Company (SNC, the licensee) submitted an affidavit dated September 2, 2022 Agencywide Documents and Access Management System (ADAMS) Accession No. ML22255A203), executed by H.M. Hashemian, President and Chief Executive Officer for Analysis and Measurement Services Corporation (AMS), requesting that the information contained in the following document be withheld from public disclosure pursuant to Section 2.390 of Title 10 of the *Code of Federal Regulations* (10 CFR):

Slides – Vogtle Electric Generating Plant Units 1 & 2 Pre-Submittal Meeting: Online Monitoring Implementation based on AMS Topical Report AMS-TR-0720R2-A – Closed Session (ADAMS Accession No. ML22255A054 – non-public)

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

- a) Information which discloses process, method, or apparatus, including supporting data and analyses, where prevention of its use by AMS's competitors without license or contract from AMS constitutes a competitive, economic advantage over other companies in the industry.
- b) Information, which if used by competitors, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, application, installation, assurance of quality, or licensing of a similar-product.
- f) Information obtained through AMS actions which could reveal additional insights into nuclear equipment qualification processes, customer applications, and regulatory proceedings, and which are not otherwise readily obtainable by a competitor.

The U.S. Nuclear Regulatory Commission (NRC) staff has 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 affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. In addition, the NRC staff has determined that the document contains extensive proprietary information to an extent that a non-proprietary (i.e., redacted) version would be of no value to the public. SNC provided public slides for the pre-submittal meeting (ADAMS Accession No. ML22251A000).

Therefore, the "Slides – Vogtle Electric Generating Plant Units 1 & 2 Pre-Submittal Meeting: Online Monitoring Implementation based on AMS Topical Report AMS-TR-0720R2-A – Closed Session" 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, the NRC staff may send copies of this information to our consultants working in this area. The NRC staff 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 301-415-3100.

Sincerely,

/RA/

John G. Lamb, Senior Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-424 and 50-425

cc: H.M. Hashemian,
President and Chief Executive Officer
Analysis and Measurement Services Corporation
AMS Technology Center
9119 Cross Park Drive
Knoxville, TN 37923

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ADAMS Accession No.: ML22251A348

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