



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

July 6, 2023

Ms. Amy C. Chamberlain
Licensing Manager
Southern Nuclear Operating Company
3535 Colonnade Parkway
Birmingham, AL 35243

Ms. Camille T. Zozula, Manager
Infrastructure & Facilities Licensing
Westinghouse Electric Company
1000 Westinghouse Drive
Building 2, Suite 259
Cranberry Township, PA 16066

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE - VOGTLE ELECTRIC GENERATING PLANT, UNITS 3 AND 4
UPDATED FINAL SAFETY ANALYSIS REPORT, TIER 1, TECHNICAL
REQUIREMENTS MANUAL AND TECHNICAL SPECIFICATIONS BASES
ANNUAL SUBMITTAL

Dear Ms. Chamberlain and Ms. Zozula:

By letter dated June 13, 2023 (Agencywide Documents Access and Management System Accession No. ML23165A212), Southern Nuclear Operating Company (SNC) submitted affidavits dated June 13, 2023, and March 21, 2019, executed by Amy C. Chamberlain and Zachary S. Harper, respectively requesting that two documents be withheld from public disclosure pursuant to Section 2.390 of Title 10 of the *Code of Federal Regulations* (10 CFR):

- Non-public version of the Vogtle Electric Generating Plant (VEGP), Units 3 and 4 Updated Final Safety Analysis Report (UFSAR), Version 12
- Non-public version of the VEGP Units 3 and 4 Tier 1, Version 11

Nonproprietary copies of these documents have been added to the U.S. Nuclear Regulatory Commission's Library in ADAMS (ML23165A215 and ML23165A216).

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

1. The information sought to be withheld from public disclosure has been held in confidence by SNC and Westinghouse Electric Company.
2. The information is of a type customarily held in confidence by SNC and Westinghouse Electric Company and not customarily disclosed to the public.
3. 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.

4. 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.
5. Release of the information may harm SNC because SNC has a contractual relationship with the Westinghouse Electric Company regarding proprietary information. SNC is contractually obligated to seek confidential and proprietary treatment of the information.
6. The release of the information might result in the loss of an existing or potential competitive advantage to SNC and/or Westinghouse Electric Company.
 - (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.
 - (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.

We have 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.

Therefore, the versions of 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.

If you have any questions regarding this matter, I may be reached at 301-415-7270.

Sincerely,

Cayetano Santos Jr.

Signed by Santos, Cayetano
on 07/06/23

Cayetano Santos Jr., Senior Project Manager
Vogtle Project Office
Office of Nuclear Reactor Regulation

Docket Nos. 52-025 and 52-026

cc: Listserv

Request for Withholding Information from Public Disclosure - Vogtle Units 3 and 4 Updated Final Safety Analysis Report, Tier 1, Technical Requirements Manual and Technical Specifications Bases Annual Submittal DATE July 6, 2023

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DATE	Jun 27, 2023	Jul 3, 2023	Jul 6, 2023	Jul 6, 2023

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