



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

July 27, 2023

Mr. R. Keith Brown, Director
Regulatory Affairs
Southern Nuclear Operating Company, Inc.
3535 Colonnade Parkway, BIN N-274-EC
Birmingham, AL 35243

Mr. Anthony J. Schoedel, Manager
eVinci Licensing & Configuration
Management
Westinghouse Electric Company
1000 Westinghouse Drive
Cranberry Township, PA 16066

SUBJECT: RESPONSE TO REQUEST FOR WITHHOLDING PROPRIETARY
INFORMATION FROM PUBLIC DISCLOSURE FOR THE VOGTLE ELECTRIC
GENERATING PLANT – ENCLOSURE 2 TO SNC LETTER NL-23-0611 FOR
UNIT 4, CORE OPERATING LIMITS REPORT, CYCLE 1, VERSION 1

Dear Mr. Brown and Mr. Schoedel:

By letter dated July 19, 2023 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML23200A355), Southern Nuclear Operating Company (SNC) submitted affidavits, in Enclosures 3 and 4, signed by Ms. Amy C. Chamberlain, dated July 19, 2023 and Mr. Anthony J. Schoedel, dated October 13, 2021, respectively, requesting the information contained in Enclosure 2 to the NL-23-0611 SNC letter be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. The non-proprietary (public) version of the proprietary Enclosure 2 may be found in Enclosure 1 to the SNC letter.

The affidavits stated that, pursuant to 10 CFR 2.390, 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 release of the information might result in the loss of an existing or potential competitive advantage to SNC and/or Westinghouse Electric Company.
4. Other reasons are identified in the SNC letter NL-23-0611 for VEGP Unit 4, which includes Westinghouse Applications for Withholding Proprietary Information from Public Disclosure CAW-21-5231, the accompanying affidavits, Proprietary Information Notices, and Copyright notices, and those reasons are incorporated here by reference.

The Enclosure 1 designates the information that should be held in confidence for the following reasons (itemized as items (a) and (c) in Enclosure 2):

- (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 affidavits, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the version(s) 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 301-415-5848.

Sincerely,

/RA/

William "Billy" Gleaves, Sr. Project Manager
Vogtle Project Office Branch
Office of Nuclear Reactor Regulation

Docket No. 52-026

cc: Listserv

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DATED JULY 27, 2023

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NAME	WGleaves (c)	RButler	LNist	WGleaves (s)
DATE	07/24/2023	07/24/2023	07/27/2023	07/27/2023

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