



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

FEB 13 1984

Docket Nos.: 50-424
and 50-425

Mr. Donald Foster
Vice President and General Manager
Georgia Power Company
333 Piedmont
Atlanta, Georgia 30303

Dear Mr. Foster:

Subject: Amendments to Construction Permits for Vogtle Electric
Generating Plant, Units 1 and 2

Your letter of October 14, 1983, transmitted an application for amendments to Construction Permit Nos. CPPR-108 and CPPR-109 to allow the transfer of an additional 5% ownership interest in the Vogtle Electric Generating Plant, Units 1 and 2, from Georgia Power Company to the Municipal Electric Authority of Georgia.

We have completed our review of your request and have concluded that a financial review of ownership shares of Vogtle 1 and 2 is not required and that this action does not involve a significant hazards consideration, does not constitute an unreasonable risk to the health and safety of the public, and is not inimical to the common defense and security, since no new owners have been added. The bases for these conclusions are set forth in the enclosed Safety Evaluation. Prior public notice of the amendments was not required since the amendments do not involve a significant hazards consideration.

We have also concluded that the amendments involve an action which is insignificant from the standpoint of environmental impact and, pursuant to 10 CFR 51.5(d)(4), that an environmental impact statement, negative declaration, or environmental impact appraisal need not be prepared in connection with the issuance of these amendments.

8402230029 840213
PDR ADDCK 05000424
A PDR

Enclosed are Amendment No. 4 to CPPR-108 and Amendment No. 4 to CPPR-109 which reflect the changes discussed above. Also enclosed is a copy of a related notice which has been forwarded to the Office to the Federal Register for publication.

Sincerely,



Elinor G. Adensam, Chief
Licensing Branch No. 4
Division of Licensing

Enclosures:

1. Amendment No. 4 to CPPR-108
2. Amendment No. 4 to CPPR-109
3. Safety Evaluation
4. Federal Register Notice

cc w/encl:
See next page

VOGTLE

Mr. Donald Foster
Vice President and General Manager
Georgia Power Company
333 Piedmont
Atlanta, Georgia 30302

cc: Mr. L. T. Gucwa
Chief Nuclear Engineer
Georgia Power Company
P.O. Box 4545
Atlanta, Georgia 30303

Mr. Ruble A. Thomas
Vice President
Southern Services, Inc.
P.O. Box 2625
Birmingham, Alabama 35202

Mr. Doug Dutton
Vice President
Generating Plant Projects
Georgia Power Company
P.O. Box 4545
Atlanta, Georgia 30303

Mr. J. A. Bailey
Project Licensing Manager
Southern Company Services, Inc.
P.O. Box 2625
Birmingham, Alabama 35202

George F. Trowbridge, Esq.
Shaw, Pittman, Potts and Trowbridge
1800 M Street, N.W.
Washington, D. C. 20036

Mr. G. Bockhold, Jr.
Vogtle Plant Manager
Georgia Power Company
Route 2, Box 299-A
Waynesboro, Georgia 30830

Mr. James P. O'Reilly
Nuclear Regulatory Commission
Region II
101 Marietta Street, Suite 3100
Atlanta, Georgia 30303

Mr. William S. Sanders
Resident Inspector/Nuclear Regulatory
Commission
P.O. Box 572
Waynesboro, Georgia 30830

Attorney General
Law Department
132 Judicial Building
Atlanta, Georgia 30334

Office of Planning and Budget
Room 615B
270 Washington Street, S.W.
Atlanta, Georgia 30334

Ray DeLaigle
Chairman, Burke County Commission
Route 1
Midville Road
Waynesboro, Georgia 30830

February 13, 1984

Amendment No. 4 to CPPR-108, Vogtle Electric Generating Plant, Unit 1
Amendment No. 4 to CPPR-109, Vogtle Electric Generating Plant, Unit 2

DISTRIBUTION:

Docket File
NRC PDR
Local PDR
PRC System
NSIC
LB#4 Reading
MDuncan
MMiller
EAdensam
OELD, Attorney
CMiles
WRegan
JTaylor
EJordan
LHarmon
TBarnhart (4)

DESIGNATED ORIGINAL

Certified By





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

GEORGIA POWER COMPANY
OGLETHORPE POWER CORPORATION
MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA
CITY OF DALTON, GEORGIA
DOCKET NO. 50-424
VOGTLE ELECTRIC GENERATING PLANT, UNIT 1
AMENDMENT TO CONSTRUCTION PERMIT

Amendment No. 4
Construction Permit No. CPPR-108

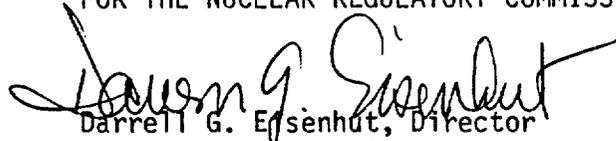
1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Georgia Power Company, dated October 14, 1983, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations set forth in 10 CFR Chapter I;
 - B. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - C. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, Construction Permit No. CPPR-108 is amended to reflect a change in ownership shares. A new paragraph is added as follows:
 - 3.F. The ownership interests of the applicants shall be as follows:

<u>Owner</u>	<u>Shares (percent)</u>
Georgia Power Company	45.7
Oglethorpe Power Corporation	30.0
Municipal Electric Authority of Georgia	22.7
City of Dalton, Georgia	1.6

8402230038 840213
PDR ADDCK 05000424
A PDR

3. This amendment is effective as of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION


Darrell G. Eissenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Date of Issuance: February 13, 1984



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

GEORGIA POWER COMPANY
OGLETHORPE POWER CORPORATION
MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA
CITY OF DALTON, GEORGIA
DOCKET NO. 50-425
VOGTLE ELECTRIC GENERATING PLANT, UNIT 2
AMENDMENT TO CONSTRUCTION PERMIT

Amendment No. 4
Construction Permit No. CPPR-109

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Georgia Power Company, dated October 14, 1983, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulation set forth in 10 CFR Chapter I;
 - B. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - C. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, Construction Permit No. CPPR-109 is amended to reflect a change in ownership shares. A new paragraph is added as follows:

3.F. The ownership interests of the applicants shall be as follows:

<u>Owner</u>	<u>Shares (percent)</u>
Georgia Power Company	45.7
Oglethorpe Power Corporation	30.0
Municipal Electric Authority of Georgia	22.7
City of Dalton, Georgia	1.6

3. This amendment is effective as of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Darrell G. Eisenhut, Director
Division of Licensing
Office of Reactor Regulation

Date of Issuance: February 13, 1984



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

SAFETY EVALUATION REPORT
VOGTLE ELECTRIC GENERATING PLANT UNITS 1 AND 2
RELATED TO AMENDMENT NO. 4
TO CONSTRUCTION PERMITS CPPR-108 AND CPPR-109

INTRODUCTION

By letter dated October 14, 1983, Georgia Power Company (GPC) submitted a request for amendments to its construction permits (CPPR Nos. 108 and 109) for the Vogtle Electric Generating Plant, Units 1 and 2 (VEGP) to secure approval to transfer ownership percentages to the Municipal Electric Authority of Georgia (MEAG). This request involved a transfer from GPC of a 5% undivided ownership share in VEGP to MEAG. The request for amendments states that GPC will retain exclusive responsibility for the design, construction, and operation of the facilities.

GPC, Oglethorpe Power Corporation (OPC), MEAG, and the City of Dalton had previously entered into a Purchase and Ownership Participation Agreement for Vogtle Electric Generating Plant, Units 1 and 2 (previously called Alvin G. Vogtle Nuclear Units, Numbers 1 and 2) dated August 27, 1976, as amended, which provides for the sale by GPC to OPC, MEAG, and the City of Dalton of 30.0%, 17.7% and 1.6% undivided ownership interests in VEGP, respectively.

The purpose of this Safety Evaluation is to present the result of the staff's analysis of the proposed acquisition by MEAG of an additional 5% ownership in VEGP.

EVALUATION

GPC has exclusive responsibility for the design, construction, and operation of the facilities. The proposed amendments only request a transfer in ownership interest and do not involve any other change. As a result of the ownership transfer, GPC and MEAG will own undivided interests in VEGP of 45.7% and 22.7%, respectively. However, this less-than-majority ownership will not impact on GPC's sole authority to design, construct and operate VEGP because in order to amend the Purchase and Ownership Participation Agreement, approval of 85% undivided ownership interest is necessary. In any event, GPC retains sole authority for the design, construction, and operation of VEGP. Accordingly, the only consideration which required review is the financial qualifications of MEAG to maintain a 22.7% ownership interest in VEGP.

The NRC regulations relating to the determination of an applicant's financial qualifications are in Section 50.33(f) of 10 CFR Part 50. These regulations state that a financial review of an applicant to construct a production facility (commercial nuclear power plant) shall not be conducted if the applicant is an electric utility. Since the Vogtle units are production facilities and since MEAG is an electric utility as defined in 10 CFR Part 50.2, a financial review of MEAG's ownership shares in VEGP is not required.

CONCLUSIONS

On the basis of the above evaluation, the staff finds that the issuance of the requested amendments, increasing ownership percentage of MEAG in Vogtle, Units 1 and 2 will not be inimical to the common defense and security and does not constitute an unreasonable risk to the health and safety of the public since no new owners have been added. The staff finds that the requested amendments do not involve a significant hazards consideration because this action will not involve any significant increase in the probability or consequences of any accidents previously considered, does not create the possibility of an accident of a type different from any evaluated previously, and does not involve any significant decrease in safety margin.

Further, the staff has determined that the amendments do not authorize a change in effluent types or total amounts and will not result in any significant environmental impact. Having made this determination, the staff also concluded that the amendments involve action which is insignificant from the standpoint of environmental impact and, pursuant to 10 CFR 51.5(d)(4), that an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of the amendments.

Date issued: February 13, 1984

Principal Contributor: Melanie Miller, Licensing
Branch No.4, DL

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NOS. 50-424 AND 50-425GEORGIA POWER COMPANYOGLETHORPE POWER CORPORATIONMUNICIPAL ELECTRIC AUTHORITY OF GEORGIACITY OF DALTON, GEORGIANOTICE OF ISSUANCE OF AMENDMENTS TO CONSTRUCTION PERMITS

The U. S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 4 to Construction Permit No. CPPR-108 and Amendment No. 4 to Construction Permit No. CPPR-109. The amendments authorize transfer of an additional 5% ownership interest in the facilities from Georgia Power Company to the Municipal Electric Authority of Georgia. Georgia Power Company has sole responsibility for design, construction, and operation of the facilities, which are located in Burke County, Georgia. The amendments are effective as of the date of issuance.

The ownership interests of the applicants are now as follows:

<u>Owner</u>	<u>Shares (percent)</u>
Georgia Power Company	45.7
Oglethorpe Power Corporation	30.0
Municipal Electric Authority of Georgia	22.7
City of Dalton, Georgia	1.6

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations. The Commission has made appropriate findings as required by the Act and the Commission's regulations in 10 CFR Chapter I, which are set forth in the amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

B402230075 B40213
PDR ADOCK 05000424
A PDR

For further details with respect to the action, see (1) the application for amendments dated October 14, 1983, (2) Amendments No. 4 to Construction Permit Nos. CPPR-108 and CPPR-109, (3) and the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. 20555, and at the Burke County Public Library, Fourth Street, Waynesboro, Georgia 30830. In addition, a copy of items (2) and (3) may be obtained upon request addressed to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Division of Licensing, Office of Nuclear Reactor Regulation.

Dated at Bethesda, Maryland, this 13th day of February 1984.

FOR THE NUCLEAR REGULATORY COMMISSION



Elinor G. Adensam, Chief
Licensing Branch No. 4
Division of Licensing