

March 26, 1999

Mr. J. B. Beasley, Jr.
Vice President
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
Birmingham, Alabama 35201

DISTRIBUTION
Docket File
PUBLIC
PDII-2 RF
JZwolinski
OGC

e-mail RCN -SE only
PSkinner, RII
GHill(4) T-5 C3
WBeckner, O-11 F23
ACRS T-2 E26

*See Amend
to License
Rpt.*

**SUBJECT: ISSUANCE OF AMENDMENTS - VOGTLE ELECTRIC GENERATING PLANT,
UNITS 1 AND 2 (TAC NOS. MA3934 AND MA3935)**

Dear Mr. Beasley:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 107 to Facility Operating License NPF-68 and Amendment No. 85 to Facility Operating License NPF-81 for the Vogtle Electric Generating Plant (VEGP), Units 1 and 2. The amendments consist of changes to the Facility Operating Licenses (FOLs) and the Technical Specifications (TS) in response to your application dated October 15, 1998, as supplemented by letter dated November 11, 1998.

The amendments change the VEGP, Units 1 and 2 FOLs to delete or modify certain license conditions that have become obsolete or inappropriate. In addition, the TS and Bases are reissued to reflect new word processing software.

A copy of the related Safety Evaluation is also enclosed. A Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,
ORIGINAL SIGNED BY:
David H. Jaffe, Senior Project Manager
Project Directorate II-2
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

*1/1
DFC1*

Docket Nos. 50-424 and 50-425

Enclosures:

1. Amendment No. 107 to NPF-68
2. Amendment No. 85 to NPF-81
3. Safety Evaluation

NRC FILE CENTER COPY

cc w/encls: See next page

DOCUMENT NAME: G:\VOGTLEVAMD3934.WPD

OFFICE	PDII-3/PM	PDII-2/LA	OGC	PERB*	PDND*	PDII-2/D
NAME	BJAFFE.cn	L.BERRY	W. JAFFE	CMILLER	SWEISS	H.BERKOW
DATE	3/15/99	2/23/99	3/15/99	1/22/99	1/26/99	3/12/99
COPY	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY

9905050021 990326
PDR ADOCK 05000424
PDR

040072

CP-1



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 26, 1999

Mr. J. B. Beasley, Jr.
Vice President
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
Birmingham, Alabama 35201-1295

SUBJECT: ISSUANCE OF AMENDMENTS - VOGTLE ELECTRIC GENERATING PLANT,
UNITS 1 AND 2 (TAC NOS. MA3934 AND MA3935)

Dear Mr. Beasley:

The Nuclear Regulatory Commission has issued the enclosed Amendment No.107 to Facility Operating License NPF-68 and Amendment No. 85 to Facility Operating License NPF-81 for the Vogtle Electric Generating Plant (VEGP), Units 1 and 2. The amendments consist of changes to the Facility Operating Licenses (FOLs) and the Technical Specifications (TS) in response to your application dated October 15, 1998, as supplemented by letter dated November 11, 1998.

The amendments change the VEGP, Units 1 and 2 FOLs to delete or modify certain license conditions that have become obsolete or inappropriate. In addition, the TS and Bases are reissued to reflect new word processing software.

A copy of the related Safety Evaluation is also enclosed. A Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

A handwritten signature in black ink, appearing to read "D. H. Jaffe", is written over a horizontal line.

David H. Jaffe, Senior Project Manager
Project Directorate II-2
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-424 and 50-425

Enclosures:

1. Amendment No. 107 to NPF-68
2. Amendment No. 85 to NPF-81
3. Safety Evaluation

cc w/encls: See next page

Vogtle Electric Generating Plant

cc:

Mr. J. A. Bailey
Manager, Licensing
Southern Nuclear Operating
Company, Inc.
P. O. Box 1295
Birmingham, Alabama 35201-1295

Mr. J. Gasser
General Manager, Vogtle Electric
Generating Plant
Southern Nuclear Operating
Company, Inc.
P. O. Box 1600
Waynesboro, Georgia 30830

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

Mr. J. D. Woodard
Executive Vice President
Southern Nuclear Operating
Company, Inc.
P. O. Box 1295
Birmingham, Alabama 35201-1295

Steven M. Jackson
Senior Engineer - Power Supply
Municipal Electric Authority
of Georgia
1470 Riveredge Parkway, NW.
Atlanta, Georgia 30328-4684

Harold Reheis, Director
Department of Natural Resources
205 Butler Street, SE. Suite 1252
Atlanta, Georgia 30334

Attorney General
Law Department
132 Judicial Building
Atlanta, Georgia 30334

Mr. R. D. Barker
Program Manager
Fossil & Nuclear Operations
Oglethorpe Power Corporation
2100 East Exchange Place
P. O. Box 1349
Tucker, Georgia 30085-1349

Charles A. Patrizia, Esquire
Paul, Hastings, Janofsky & Walker
10th Floor
1299 Pennsylvania Avenue
Washington, DC 20004-9500

Arthur H. Domby, Esquire
Troutman Sanders
NationsBank Plaza
600 Peachtree Street, NE.
Suite 5200
Atlanta, Georgia 30308-2216

Resident Inspector
Vogtle Plant
8805 River Road
Waynesboro, Georgia 30830

Office of the County Commissioner
Burke County Commission
Waynesboro, Georgia 30830



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

*See Amend to
License Rpt.*

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 107 TO FACILITY OPERATING LICENSE NPF-68
AND AMENDMENT NO. 85 TO FACILITY OPERATING LICENSE NPF-81
SOUTHERN NUCLEAR OPERATING COMPANY, INC., ET AL.
VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2

DOCKET NOS. 50-424 AND 50-425

1.0 INTRODUCTION

By letter dated October 15, 1998, as supplemented by letter dated November 11, 1998, Southern Nuclear Operating Company, Inc., et al. (SNC/the licensee) proposed license amendments to change the Facility Operating Licenses (FOLs) and the Technical Specifications (TS) for Vogtle Electric Generating Plant (Vogtle), Units 1 and 2. The proposed amendments would change the Vogtle Units 1 and 2 FOLs to delete or modify certain license conditions that have become obsolete or inappropriate. In addition, the TS would be reissued to reflect new word processing software.

2.0 EVALUATION

Vogtle Unit 1 FOL No. NPF-68 was issued on March 16, 1987, and Unit 2 FOL No. NPF-81 was issued on March 31, 1989. The licenses were issued with certain conditions containing either various activities to be completed by specified dates or reporting requirements, which are now obsolete. Also, certain surveillance requirements (SRs) added or modified at the time of the Improved Technical Specification (ITS) implementation were not performed at that time, but were listed in the FOLs as license conditions. Each proposed change is addressed herein. In addition, the licensee has proposed that the TS be reissued to reflect new word processing software.

2.1 Vogtle Unit 1 License Condition 2.C.(2)

The SRs for Vogtle Unit 1 License Condition 2.C.(2) were added at the time of the ITS implementation, but were not performed at the time of the ITS implementation. The licensee has proposed that the reference to these SRs be deleted from the FOL.

The ITS for Vogtle Unit 1 were implemented at mid-cycle with the units operating. The SRs are listed in License Condition 2.C.(2). While these SRs and their frequencies were incorporated into the ITS, they were not required to be performed at the time of ITS implementation, but were listed in the FOL with specific due dates as a license condition. The SRs are addressed in Table 1 with regard to why they were incorporated in the FOL. The NRC staff has confirmed that the subject SRs in this condition have since been performed in accordance with the schedule set forth in the condition as documented in "NRC Integrated Inspection Report Nos.

50-424-98-08 and 50-425/98-08" dated December 11, 1998; therefore, deletion of the reference to these SRs from the FOL is acceptable.

Table 1

Surveillance Requirements Addressed in FTOL License Condition 2.C.(2)

Tech Spec.	Subject	Unit	Reason for Inclusion in FOL
3.8.1.8	Emergency Diesel Generator (EDG) Load Rejection Test	2	See Footnote 1
3.8.1.11	EDG Auto-start Test	2	See Footnotes 1 & 2
3.8.1.13	EDG Run Test	2	See Footnote 1
3.8.1.9	EDG Test Data	1 and 2	See Footnote 1
3.8.4.7	Battery Capacity	1	See Footnotes 1 & 2

-
- (1) The Surveillance Requirement (SR) in the Improved Technical Specifications (ITS) was more restrictive and the NRC staff allowed the licensee to take credit, for one test cycle, for the less restrictive SR requirements.
 - (2) The ITS was implemented in mid-cycle with the reactor at power, and, thus, could not perform the SR because of SR restrictions.

2.2 Vogtle Unit 1 License Condition 2.C.(3)

Vogtle Unit 1 License Condition 2.C.(3) specifies that changes made to the Initial Startup Test Program (ITP) as described in Section 14 of the Final Safety Analysis Report be reported under Title 10 of the Code of Federal Regulations (10 CFR) Section 50.59(b) within 1 month of the change. The licensee has proposed that this license condition be deleted.

Section 14 of Supplement 9 to NUREG-1137, "Safety Evaluation Related to the Operation of Vogtle Electric Generating Plant, Units 1 and 2," dated March 1989 indicates that the ITP for Vogtle Unit 1 is complete. The NRC staff concludes that License Condition 2.C.(3) is obsolete since the initial test program is complete, the unit is operating, and the condition is no longer needed. Therefore, deletion of this condition from the FOL is acceptable.

2.3 Vogtle Unit 1 License Condition 2.C.(4)

The licensee has proposed that Vogtle Unit 1 License Condition 2.C.(4) be deleted. This license condition states that "[i]n the event the NRC finds that the lack of progress in completion of the procedures in the Federal Emergency Management Agency's [FEMA's] final rule, 44 CFR Part 350, is an indication that a major substantive problem exists in achieving or maintaining an adequate state of emergency preparedness, the provisions of 10 CFR 50.54(s)(2) will apply."

The requirements of 44 CFR 350 establish policy and procedures for review and approval by FEMA of State and local emergency plans and preparedness for the offsite effects of a radiological emergency, which may occur at a commercial nuclear power facility. Review and approval of these plans and preparedness involves preparation of findings and determinations of the adequacy of the plans and capabilities of State and local governments to effectively implement the plans, which is referred to as the "reasonable assurance" finding.

The requirements of 10 CFR 50.54(s)(2) state the action to be taken if the NRC finds that the state of emergency preparedness does not provide reasonable assurance that adequate protective measures can be taken in the event of a radiological emergency. The licensee has 4 months to correct that finding. If the finding is not properly addressed, the Commission will take appropriate actions, such as closing down the facility, until the deficiencies are remedied.

License Condition 2.C.(4) was imposed on the licensee because the licensee was granted a license prior to receiving a reasonable assurance finding from FEMA and the NRC. Vogtle Unit 1 was granted its operating license in March 1987 but did not receive FEMA's 44 CFR Part 350 approval until June 1987. This reasonable assurance finding is reaffirmed every 2 years during the plant's NRC/FEMA evaluated emergency exercise. In the most recent emergency exercise report, dated September 28, 1998, it was indicated that FEMA's approval is still in effect.

License Condition 2.C.(4) is no longer necessary based upon the continuing reasonable assurance finding by FEMA; however, the requirements regarding emergency preparedness are still valid, and remain in effect as imposed by regulation. Accordingly, the NRC staff concludes that Vogtle Unit 1 License Condition 2.C.(4) is not needed and deletion from the FOL is acceptable.

2.4 Vogtle Unit 1 License Condition 2.C.(5)

Vogtle Unit 1 License Condition 2.C.(5) requires the licensee to submit a revised plant-specific steam generator (SG) tube rupture analysis for NRC review by March 1, 1988. The licensee has proposed that this license condition be deleted.

By letter dated February 29, 1988, the licensee submitted the results of the SG tube rupture analysis for Vogtle Units 1 and 2. The NRC staff notified the licensee that it had reviewed and approved this analysis by letter dated November 15, 1988. The NRC staff concludes that the requirements of Vogtle Unit 1 License Condition 2.C.(5) have been met; therefore, the deletion of the condition from the FOL is acceptable.

2.5 Vogtle Unit 1 License Condition 2.C.(7)

Vogtle Unit 1 License Condition 2.C.(7) requires the submittal of three reports to demonstrate compliance with certain aspects of NUREG-0737, "Clarification of TMI [Three Mile Island] Action Plan Requirements," November 1980. The reports are (a) NUREG-0737, Item II.F.2, reactor vessel level instrumentation system (RVLIS), due June 1, 1987; (b) supplemental report on safety parameter display system (SPDS), due March 1, 1988; and (c) supplemental summary report on the detailed control room design review (DCRDR), due March 1, 1988. The licensee has proposed that Vogtle Unit 1 License Condition 2.C.(7) be deleted.

The licensee provided the information required by Vogtle Unit 1 License Condition 2.C.(7) as follows:

- (3) By letter dated May 29, 1987, the licensee provided the implementation report on the Unit 1 RVLIS to the NRC.
- (4) By letter dated February 29, 1988, the licensee provided to the NRC the available information concerning the SPDS. Additional information was provided in letters dated June 15, 1988, and March 10, 1989. By letter dated July 5, 1989, the licensee certified that the Vogtle Unit 1 SPDS meets the criteria of Supplement 1 to NUREG-0737, dated January 1983, taking into account the information provided in NUREG-1342, "A Status Report Regarding Industry Implementation of Safety Parameter Display System," April 1989.
- (5) The licensee provided the NRC the supplemental summary report on the DCRDR by letter dated February 29, 1988.

The NRC staff has reviewed the above references and concludes that all requirements contained in Vogtle Unit 1 License Condition 2.C.(7) have been met; therefore, deletion of the condition from the FOL is acceptable.

2.6 Vogtle Unit 1 License Condition 2.C.(8)

Vogtle Unit 1 License Condition 2.C.(8) requires the licensee to either replace the zinc coating on the diesel fuel oil storage tanks by startup following the first refueling, or provide to the NRC an acceptable justification by March 1, 1988, that the existing tank coating would not affect diesel operability or reliability. The licensee has proposed that Vogtle Unit 1 License Condition 2.C.(8) be deleted.

The licensee provided technical information supporting justification of the existing tank coating by letters dated July 13, September 30, and October 15, 1987. By letter dated October 15, 1987, the NRC staff notified the licensee that the NRC staff accepted the justification and that Vogtle Unit 1 License Condition 2.C.(8) was satisfactorily resolved. The NRC staff concludes that the conditions of Vogtle Unit 1 License Condition 2.C.(8) have been satisfied; therefore, the deletion of the condition from the FOL is acceptable.

2.7 Vogtle Unit 1 License Condition 2.C.(9)

Vogtle Unit 1 License Condition 2.C.(9) requires a modification to the ventilation exhaust of the alternate radwaste facility prior to startup following the first refueling. The licensee has proposed that this license condition be deleted.

By letter dated October 11, 1988, the licensee notified the NRC that the requirements of Vogtle Unit 1 License Condition 2.C.(9) had been completed. By letter dated November 21, 1988, the NRC staff informed the licensee that it had reviewed the October 11, 1988, submittal and had no questions. The NRC staff concludes that the requirements contained in Vogtle Unit 1 License Condition 2.C.(9) have been satisfied; therefore, the deletion of the condition from the FOL is acceptable.

2.8 Vogtle Unit 1 License Condition 2.D, Item (c)

Vogtle Unit 1 License Condition 2.D grants three exemptions to the licensee. One of these exemptions, Item (c), is an exemption from 10 CFR 50.34(b)(2)(i) as it pertains to General Design Criteria 2, 61, and 62 of Appendix A to 10 CFR Part 50 for the spent fuel pool racks for the time period before the racks contain irradiated fuel. This exemption allowed Unit 1 to load fuel and initiate operation while the seismic adequacy of the spent fuel pool racks was being verified. The exemption associated with Item (c) is no longer in effect and is proposed for deletion from the Unit 1 FOL. The other two exemptions, Items (a) and (b), contained in Vogtle Unit 1 License Condition 2.D would remain in effect.

The licensee provided information concerning the seismic adequacy of the spent fuel racks by letters dated January 21, May 22, July 20, and September 29, 1987. By letter dated November 20, 1987, the NRC staff notified the licensee that it had completed its review of the spent fuel pool rack design and had concluded that the racks were acceptable with regard to the appropriate regulations. The staff further stated that the scheduler exemption was no longer required and the licensee may store irradiated fuel in the racks. The NRC staff concludes that the requirements associated with Vogtle Unit 1 License Condition 2.D, Item (c), have been satisfied; therefore, the deletion of the condition from the FOL is acceptable.

2.9 Vogtle Units 1 and 2 License Condition H

Vogtle Units 1 and 2, License Condition H, requires the licensee to report violations of the license conditions contained in Section 2.C, "...except as otherwise provided in the Technical Specifications or the Environmental Protection Plan...", which are identified in Section 2.C.(2). The licensee has proposed that the TS and Environmental Protection Plan (EPP) be exempted from FOL, Condition H, reporting requirements.

Neither the TS nor the EPP address "violations" but do contain certain other reporting requirements. These reporting requirements are not affected by the licensee's proposed change to License Condition H. Moreover, 10 CFR 50.72 and 10 CFR 50.73 contain the reporting requirements associated with safety-related equipment addressed in the TS, including the reporting of situations that may have resulted from TS violations; therefore, such violations would still be reported. Accordingly, the proposed change, which would exempt the TS and EPP from FOL, Condition H, reporting requirements, is acceptable.

2.10 Vogtle Unit 2 License Condition 2.C.(2)

The SRs listed in Vogtle Unit 2 License Condition 2.C.(2) were added at the time of ITS implementation, but were not performed at the time of ITS implementation for the reasons. The licensee has proposed that, with the exception of SR 3.8.1.20, the reference to these SRs be deleted from the FOL.

The ITS for Vogtle were implemented at mid-cycle with the unit operating. The SRs are listed in License Condition 2.C.(2). While these SRs and their frequencies were incorporated into the ITS, they were not required to be performed at the time of ITS implementation, but were listed in the FOL with specific due dates as a license condition. The SRs are addressed in Table 1 with regard to why they were incorporated in the FOL.

With the exception of SR 3.8.1.20, which has a 10-year frequency and is due in the fall of 1999, all SRs in this condition have been performed in accordance with the schedule set forth in the condition and are presently being performed in accordance with TS requirements; therefore, these SRs are proposed for deletion from the FOL. SR 3.8.1.20 will be performed according to its normal schedule; and the reference to this SR would be retained at this time in Vogtle Unit 2 License Condition 2.C.(2). The NRC staff has confirmed that the subject SRs in this condition have since been performed in accordance with the schedule set forth in the condition as documented in "NRC Integrated Inspection Report Nos. 50-424-98-08 and 50-425/98-08" dated December 11, 1998; therefore, deletion of the reference to these SRs is acceptable. The reference to SR 3.8.1.20 will be retained, at this time, in the FOL.

2.11 Vogtle Unit 2 License Condition 2.D

Vogtle Unit 2 License Condition 2.D grants three exemptions to the licensee. Item (c) relates to the schedule requirements of 10 CFR 50.33(k)(1) with regard to the availability of funds for decommissioning the facility. This exemption allowed the submission of the Vogtle Unit 2 decommissioning funding report required by 10 CFR 50.33(k) and 50.75(b) to be delayed until July 26, 1990. This exemption is no longer in effect and is proposed for deletion from the Vogtle Unit 2 FOL. The other two exemptions contained in License Condition 2.D would remain in effect.

The Vogtle Decommissioning Funding Plan was submitted to the NRC by letter dated July 25, 1990, in accordance with the schedule set forth in Section 22.5 of Supplement 8 to NUREG-1137, dated February 1989, as required by the license condition. The NRC staff concludes that the requirement contained in this exemption has been satisfied; therefore, the exemption is no longer in effect and the proposed change is acceptable.

2.12 Reissuance of the Technical Specifications

The Vogtle Units 1 and 2 TS were originally created using the WordPerfect® for DOS Version 5.1 computer software. The licensee subsequently adopted Microsoft® Word 97 as a word processing standard; therefore, the licensee has converted the VEGP TS and Bases word processing format from WordPerfect® for DOS version 5.1 to Microsoft® Word 97. There were no changes to technical requirements. The only visible changes to the document are as follows: (1) the font was changed to Arial 11 point-type font; page numbers were revised to a

limiting condition for operation specific numbering scheme; and intentionally blank pages were deleted.

The process for converting the TS involved the following steps. First, the software was allowed to automatically convert the electronic files from the original format to Microsoft® Word 97. Then Southern Company Services (SCS) Engineering Publications personnel reviewed the files, and format problems created by the conversion process were corrected. Next, the TS and Bases were reviewed independently by the licensee's Vogtle Project Corporate licensing personnel. This review identified additional remaining format errors, which were corrected by the SCS Engineering Publications personnel. The SCS Engineering Publications personnel then performed a third review of the converted TS and Bases. This third review was a word-for-word review of the converted documents against the original documents to provide additional assurance of the integrity of the converted TS and Bases. The licensee has requested that the NRC reissue the TS and Bases with the changes as previously noted.

The NRC staff concludes that the changes to the TS and Bases do not involve changes to any regulatory requirement, only modify document format, and are acceptable.

3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Georgia State official was notified of the proposed issuance of the amendments. The State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 51.21, 51.32, and 51.35, an Environmental Assessment and Finding of No Significant Impact was published in the Federal Register on March 23, 1999 (64 FR 14017). Accordingly, based on the Environmental Assessment, the Commission has determined that issuance of the amendments will not have a significant effect on the quality of the human environment.

5.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: D. Jaffe

Date: March 26, 1999