



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 29, 1998

Mr. H. L. Sumner, Jr.  
Vice President - Nuclear  
Hatch Project  
Southern Nuclear Operating  
Company, Inc.  
Post Office Box 1295  
Birmingham, Alabama 35201-1295

SUBJECT: EDWIN I. HATCH NUCLEAR PLANT, UNITS 1 AND 2 - CONSENT TO  
CONFIRMATORY ORDER MODIFYING LICENSE (TAC NOS. M85557 AND  
M85558)

Dear Mr. Sumner:

By letter dated March 28, 1995, you informed us of your schedule commitment for implementing Thermo-Lag 330-1 fire barrier corrective actions at the Edwin I. Hatch Nuclear Plant (Hatch), Units 1 and 2. Due to the NRC staff's concerns that Thermo-Lag corrective actions have not been completed at the Hatch units to date and to preclude any schedule slippage, the staff plans to modify each of the Hatch operating licenses by order to make this commitment a requirement. If you consent, the staff plans to incorporate the commitment into a Confirmatory Order Modifying License (Order) as follows:

SNC [Southern Nuclear Operating Company, Inc.] shall complete final implementation of Thermo-Lag 330-1 fire barrier corrective actions at Hatch Units 1 and 2, described in the SNC submittals to the NRC dated July 20, 1992, September 25, 1992, April 16, 1993, December 22, 1993, February 10, 1994, December 13, 1994, and March 28, 1995, by startup of Unit 2 from the fall 1998 refueling outage.

By consenting to issuance of the Order confirming the above commitment, you are waiving your right to request a hearing on all or any part of the Order. You must sign, as noted on the enclosure to this letter, that you agree to such a commitment on behalf of SNC and return the enclosure within 10 business days from the date of this letter to:

U.S. Nuclear Regulatory Commission  
ATTN: Mr. Samuel J. Collins, Director  
Office of Nuclear Reactor Regulation  
Mail Stop O-5 E7  
Washington, DC 20555-0001

After receiving your written consent, the NRC will issue the aforementioned Order.

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**NRC FILE CENTER COPY**

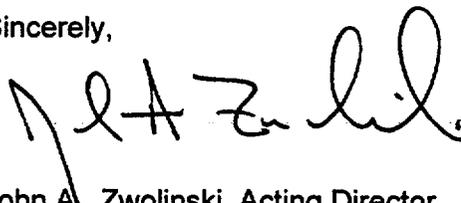
H. L. Sumner, Jr.

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Questions concerning this letter should be addressed to the NRC Project Manager, Leonard N. Olshan (301) 415-1419.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be placed in the NRC's Public Document Room.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Zwolinski". The signature is written in a cursive style with a large initial "J" and "Z".

John A. Zwolinski, Acting Director  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-321 and 50-366

Enclosure: Commitment

cc w/encl: See next page

I, Mr. H. Lewis Sumner, Jr., Vice President, Hatch Support Project of Southern Nuclear Operating Company, Inc., licensee for the Edwin I. Hatch Nuclear Plant, Units 1 and 2, hereby agree on behalf of Southern Nuclear Operating Company (SNC) that SNC will comply with the following commitment:

SNC shall complete final implementation of Thermo-Lag 330-1 fire barrier corrective actions at Hatch Units 1 and 2, described in the SNC submittals to the NRC dated July 20, 1992, September 25, 1992, April 16, 1993, December 22, 1993, February 10, 1994, December 13, 1994, and March 28, 1995, by startup of Unit 2 from the fall 1998 refueling outage.

SNC also agrees to incorporating this commitment into a Confirmatory Order Modifying License (Order) that will be effective immediately upon issuance. I recognize that by signing below, SNC consents to the issuance of an immediately effective Order incorporating the above commitment for each Hatch unit and, by doing so, pursuant to 10 CFR 2.202(a)(3), SNC will not have a right to request a hearing on all or any part of this Order.

\_\_\_\_\_  
H. Lewis Sumner, Jr., Vice President  
Hatch Support Project  
Southern Nuclear Operating Company, Inc.

\_\_\_\_\_  
Date

**Edwin I. Hatch Nuclear Plant**

**cc:**

**Mr. Ernest L. Blake, Jr.  
Shaw, Pittman, Potts  
and Trowbridge  
2300 N Street, NW.  
Washington, DC 20037**

**Mr. D. M. Crowe  
Manager, Licensing  
Southern Nuclear Operating  
Company, Inc.  
P. O. Box 1295  
Birmingham, Alabama 35201-1295**

**Resident Inspector  
Plant Hatch  
11030 Hatch Parkway N.  
Baxley, Georgia 31531**

**Regional Administrator, Region II  
U.S. Nuclear Regulatory Commission  
Atlanta Federal Center  
61 Forsyth Street, SW, Suite 23T85  
Atlanta, Georgia 30303**

**Mr. Charles H. Badger  
Office of Planning and Budget  
Room 610  
270 Washington Street, SW.  
Atlanta, Georgia 30334**

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

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

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

**Chairman  
Appling County Commissioners  
County Courthouse  
Baxley, Georgia 31513**

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

**Mr. P. W. Wells  
General Manager, Edwin I. Hatch  
Nuclear Plant  
Southern Nuclear Operating  
Company, Inc.  
U.S. Highway 1 North  
P. O. Box 2010  
Baxley, Georgia 31515**

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

Questions concerning this letter should be addressed to the NRC Project Manager, Leonard N. Olshan (301) 415-1419.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be placed in the NRC's Public Document Room.

Sincerely,

ORIGINAL SIGNED BY:

John A. Zwolinski, Acting Director  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-321 and 50-366

Enclosure: Commitment

cc w/encl: See next page

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LBerry  
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DOCUMENT NAME: G:\HATCH\CONORDER.HAT \*See previous concurrence

OFC	PM:PDII-2	LA:PDII-2	PD:PDII-2	C:SPLB*	OGC
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DATE	4/22/98	4/21/98	4/28/98	4/13/98	4/28/98

OFC	D:DRPE(W)	
NAME	JZWOLINSKI	
DATE	4/29/98	1/98

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