

POLICY ISSUE NOTATION VOTE

December 17, 2001

FOR: The Commissioners

FROM: William D. Travers
Executive Director for Operations

SUBJECT: EDWIN I. HATCH NUCLEAR PLANT, UNITS 1 AND 2, RENEWAL OF
FULL-POWER OPERATING LICENSES

PURPOSE:

To inform the Commission of the results of the NRC staff's review of the license renewal application for the Edwin I. Hatch Nuclear Plant, Units 1 and 2 (Plant Hatch), submitted by Southern Nuclear Operating Company, Inc. (hereafter referred to as SNC or the applicant), and request that the Commission authorize the Director of NRR to make the appropriate findings and renew the operating licenses for Plant Hatch for an additional 20 years.

BACKGROUND:

By letter dated February 29, 2000 (Reference 1), SNC submitted its application to renew the operating licenses for Plant Hatch, in accordance with Title 10, Parts 51 and 54 of the *Code of Federal Regulations* (CFR). In its submittal, the applicant requested renewal of operating licenses DPR-57 for Unit 1 and NPF-5 for Unit 2, which were initially issued under Sections 104 and 103, respectively, of the Atomic Energy Act, for a period of 20 years beyond the current license expiration dates of midnight, August 6, 2014, for Unit 1, and midnight, June 13, 2018, for Unit 2.

Contact:
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DISCUSSION:

The staff performed its safety review of the Plant Hatch license renewal application in accordance with 10 CFR Part 54, using guidance in NRR Office Letter 805, "License Renewal Application Review Process," and the draft "Standard Review Plan for the Review of License Renewal Applications for Nuclear Power Plants," dated June 2000. NUREG-1803, "Safety Evaluation Report Related to the License Renewal of the Edwin I. Hatch Nuclear Plant, Units 1 and 2" (Reference 2), describes the results of the staff's review of the scoping and screening, aging management programs, and time-limited aging analyses, in accordance with the requirements of 10 CFR Part 54.

The Plant Hatch license renewal application included a supplement to the final safety analysis report (FSAR), as required by 10 CFR 54.21(d). The applicant subsequently revised the FSAR supplement in a letter dated September 5, 2001, which superceded the version contained in the application. The revised FSAR supplement contains a summary description of the programs and activities for managing the effects of aging and the evaluation of the time-limited aging analyses for the period of extended operation. The staff reviewed the revised FSAR supplement and found that it meets the requirements of 10 CFR 54.21(d). The attached proposed renewed licenses require that the applicant include the FSAR Supplement in the updated FSAR (UFSAR), which is scheduled for release in July 2002. Until the UFSAR update is complete, a condition in the proposed renewed licenses requires that any changes to the FSAR supplement be made in accordance with 10 CFR 50.59. This assures the NRC that these programs, maintenance activities, and inspection procedures will be adequately controlled.

The FSAR supplement also identifies future actions. Throughout NUREG-1803, the staff has described various schedules for future actions. These schedules reflect the staff's determination that the future actions are not required for operation during the existing license term; however, they are required to be completed before entering the period of extended operation to effectively manage aging. The proposed renewed licenses include license conditions for the completion of these future actions. The applicant can change the schedules for these actions without prior NRC approval, as long as the actions are completed in accordance with the license condition.

On the basis of its Safety Evaluation, as described in NUREG-1803, the staff reached the following conclusions, as provided in 10 CFR 54.29:

- (1) Actions have been identified and have been or will be taken with respect to managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified to require an aging management review under 10 CFR 54.21(a)(1).
- (2) Actions have been identified and have been or will be taken with respect to time-limited aging analyses that have been identified to require review under 10 CFR 54.21(c).

Accordingly, the staff finds that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the current licensing basis for Plant Hatch.

To support the review of the applicant's license renewal application, Region II conducted three inspections. In accordance with Inspection Manual Chapter 2516, "Policy and Guidance for the License Renewal Inspection Programs," and Inspection Procedure 71002, "License Renewal Inspection." As described in the memorandum from Bruce S. Mallett, Acting Regional Administrator, NRC Region II, dated October 18, 2001 (Reference 3), the results of these three inspections verified that the applicant implemented the scoping and screening methodology and established aging management programs in conformance with the descriptions contained in the application for license renewal, and there is reasonable assurance that the applicant's aging management programs provide an adequate foundation for renewing the licenses for Plant Hatch for an additional 20 years.

Following issuance of the safety evaluation report (SER) with open items on October 5, 2001 (Reference 4), the staff and applicant briefed the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee on Plant License Renewal on October 25, 2001, and the ACRS Full Committee on November 8, 2001, on the SER. On November 16, 2001, the ACRS issued its recommendation, "Report on the Safety Aspects of the License Renewal Application for the Edwin I. Hatch Nuclear Plant, Units 1 and 2." In its report (included in Section 5 of NUREG-1803, Reference 2), the ACRS recommended that the Commission should approve the application for license renewal, and concluded that the programs instituted to manage aging-related degradation are appropriate and provides reasonable assurance that Plant Hatch can be operated safely in accordance with its licensing bases for the period of extended operation without undue risk to the health and safety of the public.

The staff performed its environmental review of the Plant Hatch license renewal application in accordance with 10 CFR Part 51, using the guidelines described in the "Standard Review Plan for Environmental Reviews for Nuclear Power Plants, Supplement 1: Operating License Renewal," NUREG-1555, Supplement 1, dated March 2000. On April 12, 2000, the staff published a Notice of Intent (65 FR 19797) to prepare an environmental impact statement (EIS) and conduct scoping, initiating a 60-day scoping period. The EIS, prepared by the staff for the plant-specific review, is a supplement to the Generic Environmental Impact Statement (GEIS), NUREG-1437, which was codified in 10 CFR Part 51 for license renewal. For Plant Hatch, the EIS is Supplement 4 to the GEIS (SEIS). Two public scoping meetings were held on May 10, 2000, in Vidalia, Georgia. The staff also visited Plant Hatch in May 2000, reviewed the comments received during scoping, as well as related documents, and consulted with Federal, State, and local agencies. On November 3, 2000, the staff issued a draft of the SEIS (Supplement 4 to NUREG-1437), which contained the preliminary results of the staff's evaluation and recommendation. With the publication of the Environmental Protection Agency Notice of Filing of the draft SEIS (65 FR 67358, November 9, 2000), the NRC initiated a 75-day public comment period on the preliminary results of the staff's review. During this comment period, two public meetings were held in Vidalia, Georgia, on December 12, 2000. During these meetings, the staff described the approach and results of the NRC's environmental review and answered questions to give members of the public information to assist them in formulating their comments. The comment period for the draft SEIS ended on January 24, 2001.

The staff evaluated the comments received on the draft SEIS and completed its analysis, considering and weighing the environmental effects of the proposed action, the environmental impacts of alternatives to the proposed action, and the alternatives available for reducing or avoiding adverse effects. The final version of the SEIS regarding Plant Hatch was issued on

May 31, 2001 (Reference 5). Disposition of the comments from members of the public is addressed in the SEIS. As discussed in Section 9.3 of the SEIS, the staff determined that, on the basis of (1) the analysis and findings in the "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants," NUREG-1437; (2) the Environmental Report submitted by the applicant; (3) consultation with other Federal, State, and local agencies; (4) the staff's own independent review; and (5) the staff's consideration of public comments, the adverse environmental impacts of license renewal for Plant Hatch are not so great that preserving the option of license renewal for energy planning decision makers would be unreasonable.

In accordance with 10 CFR 54.19(b), license renewal applications include "conforming changes to the standard indemnity agreement, 10 CFR 140.92, Appendix B, to account for the expiration term of the proposed renewed license." The staff intends to maintain the license numbers on issuance of the renewed licenses. Therefore, there is no need to make conforming changes to the indemnity agreement, and the requirements of 10 CFR 54.19(b) have been met.

Also, it should be noted that the antitrust conditions identified in the original operating license for Plant Hatch Unit 2 will be maintained during the period of extended operation.

As a result of the staff's review of the applicant's license renewal application, the staff recommends that the Commission authorize the Director of NRR to make the appropriate findings and, once he has made those findings, to issue renewed operating licenses for Plant Hatch for an additional 20 years of operation, in accordance with the attached renewed licenses.

COORDINATION:

The Office of the General Counsel has reviewed this paper and has no legal objections to its content. The Office of the Chief Financial Officer also has reviewed this paper for resource implications and has no objections to its content.

RECOMMENDATION:

On the basis of the above discussion, the NRC staff recommends that the Commission take the following actions:

- (1) Authorize the Director of NRR to renew the operating licenses for Plant Hatch, upon making the appropriate findings on safety and environmental matters.
- (2) Note that the staff will make any necessary conforming changes to the renewed licenses as a result of any pending licensing actions while the Commission is considering the staff's recommendations.

REFERENCES:

- (1) "Edwin I. Hatch Nuclear Plant License Renewal Application," February 29, 2000, Accession Number ML003688151
- (2) "Safety Evaluation Report Related to the License Renewal of the Edwin I. Hatch Nuclear Plant, Units 1 and 2," NUREG-1803 dated (TBD), Accession Number (TBD)
- (3) "Hatch Units 1 and 2 License Renewal Application," letter from Bruce S. Mallett to Samuel J. Collins, dated October 18, 2001, Accession Number ML012920057
- (4) "Safety Evaluation Report Related to the License Renewal of the Edwin I. Hatch Nuclear Plant, Units 1 and 2," dated October 5, 2001, Accession Numbers ML012780458 and ML012780459
- (5) "Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 4, Regarding the Edwin I. Hatch Nuclear Plant, Units 1 and 2," Accession Number ML011420018

/RA/

William D. Travers
Executive Director
for Operations

Attachments: Renewed Licenses for Edwin I. Hatch Nuclear Plant, Units 1 and 2

REFERENCES:

- (1) "Edwin I. Hatch Nuclear Plant License Renewal Application," February 29, 2000, Accession Number ML003688151
- (2) "Safety Evaluation Report Related to the License Renewal of the Edwin I. Hatch Nuclear Plant, Units 1 and 2," NUREG-1803 dated (TBD), Accession Number (TBD)
- (3) "Hatch Units 1 and 2 License Renewal Application," letter from Bruce S. Mallett to Samuel J. Collins, dated October 18, 2001, Accession Number ML012920057
- (4) "Safety Evaluation Report Related to the License Renewal of the Edwin I. Hatch Nuclear Plant, Units 1 and 2," dated October 5, 2001, Accession Numbers ML012780458 and ML012780459
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/RA/

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Executive Director
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Package: ML013450325

*See previous concurrence

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