

Jeffrey T. Gasser
Vice President

**Southern Nuclear
Operating Company, Inc.**
40 Inverness Center Parkway
Post Office Box 1295
Birmingham, Alabama 35201

Tel 205.992.7721
Fax 205.992.0403



July 3, 2003

Docket Nos.: 50-424
50-425

NL-03-1384

Annette L. Vietti-Cook
Secretary of the Commission
U. S. Nuclear Regulatory Commission
ATTN: Rulemakings and Adjudications Staff
Washington, D. C. 20555-0001

**Vogtle Electric Generating Plant
Withdrawal of Request for Relief Contained In
Answer to the Order Establishing Interim Inspection Requirements for
Reactor Pressure Vessel Heads at Pressurized Water Reactors**

Dear Ms. Vietti-Cook:

On February 11, 2003, the NRC issued Order EA-03-009 modifying licenses relative to the inspection requirements for reactor pressure vessel heads of pressurized water reactor nuclear power plants. In its March 3, 2003, Answer to the Order with respect to the Joseph M. Farley Nuclear Plant (FNP) and the Vogtle Electric Generating Plant (VEGP), Southern Nuclear Operating Company (SNC) requested relief from the requirements IV.C.3(a) and IV.C3(b)(i) of the Order in accordance with the procedure specified in the Order. NRC granted the request for relief on behalf of FNP by letter dated April 25, 2003. Although the same rationale for the relief to FNP exists with respect to VEGP, VEGP has not received a letter from the NRC granting relief.

On June 16, 2003, a telephone conversation was held between SNC and the NRC regarding SNC's request for relief from the requirements of the Order. In the discussion, SNC informed the Staff that VEGP had not received relief from the requirements of the Order but that relief would not be needed until 2005 for VEGP. The Staff responded that the request for relief on behalf of VEGP was premature because the requirements as stated in the Order could change between now and 2005 and cause VEGP's request for relief from the Order to become unnecessary. Therefore, the Staff requested that SNC withdraw the request for relief from the requirements of Order EA-03-009, with the understanding that the request should be resubmitted at the time the inspections required by the Order are performed at VEGP in the event that such relief is still necessary.

ML

Aool
1/0 per
PM

SNC understands, based on the discussion during the public briefing of February 24, 2003, regarding Order EA-03-009, that notwithstanding that the time for filing an Answer to the Order has expired, SNC will be entitled to renew its request for relief from the requirements of the Order as they apply to VEGP at the time the inspections required by the Order are performed. Accordingly, subject to SNC's right to renew the request for relief at the time of the inspections, SNC hereby withdraws the request for relief with respect to VEGP and, if necessary, will resubmit the request for relief at the time the inspections required by the Order are conducted at VEGP.

If you have any questions or require additional information, please contact me.

This letter includes no new commitments.

Sincerely,



Jeffrey T. Gasser

JTG/DRG/daj

cc: Southern Nuclear Operating Company
Mr. J. D. Woodard, Executive Vice President
Mr. W. F. Kitchens, General Manager – Plant Vogtle
Mr. M. Sheibani, Engineering Supervisor – Plant Vogtle
Document Services RTYPE: CVC7000

U. S. Nuclear Regulatory Commission
Mr. L. A. Reyes, Regional Administrator
Mr. F. Rinaldi, NRR Project Manager – Vogtle
Mr. J. Zeiler, Senior Resident Inspector – Vogtle
Mr. S. J. Collins, Director, Office of Nuclear Reactor Regulation
Assistant General Counsel for Materials Litigation and Enforcement
Document Control Desk (3 copies)