

June 28, 2004

Mr. J. T. Gasser
Vice President
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
Birmingham, Alabama 35201-1295

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2 RE: ISSUANCE
OF AMENDMENTS TO REVISE THE REQUIREMENTS OF THE SHIFT
TECHNICAL ADVISOR IN SECTION 5.2.2.g OF THE TECHNICAL
SPECIFICATIONS (TAC NOS. MC2391 AND MC2392)

Dear Mr. Gasser:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 132 to Facility Operating License NPF-68 and Amendment No. 111 to Facility Operating License NPF-81 for the Vogtle Electric Generating Plant, Units 1 and 2. The amendments consist of changes to the Technical Specifications in response to your application dated February 20, 2004.

The amendments revise the requirements of the Shift Technical Advisor (STA) in Section 5.2.2.g of Technical Specifications.

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,

/RA/

Christopher Gratton, Senior Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-424 and 50-425

Enclosures:

1. Amendment No. 132 to NPF-68
2. Amendment No. 111 to NPF-81
3. Safety Evaluation

cc w/encls: See next page

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ISSUANCE OF AMENDMENTS TO REVISE THE REQUIREMENTS OF THE SHIFT
TECHNICAL ADVISOR IN SECTION 5.2.2.g OF THE TECHNICAL SPECIFICATIONS
(TAC NOS. MC2391 AND MC2392)

Dated: June 28, 2004

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Vogtle Electric Generating Plant

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SOUTHERN NUCLEAR OPERATING COMPANY, INC.

GEORGIA POWER COMPANY

OGLETHORPE POWER CORPORATION

MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA

CITY OF DALTON, GEORGIA

VOGTLE ELECTRIC GENERATING PLANT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 132
License No. NPF-68

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Vogtle Electric Generating Plant, Unit 1 (the facility) Facility Operating License No. NPF-68 filed by the Southern Nuclear Operating Company, Inc. (the licensee), acting for itself, Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, and City of Dalton, Georgia (the owners), dated February 20, 2004 complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
 - D. 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
 - E. 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, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-68 is hereby amended to read as follows:

Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 132, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. Southern Nuclear shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Stephanie M. Coffin, Acting Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance: June 28, 2004

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

GEORGIA POWER COMPANY

OGLETHORPE POWER CORPORATION

MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA

CITY OF DALTON, GEORGIA

VOGTLE ELECTRIC GENERATING PLANT, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 111
License No. NPF-81

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Vogtle Electric Generating Plant, Unit 2 (the facility) Facility Operating License No. NPF-81 filed by the Southern Nuclear Operating Company, Inc. (the licensee), acting for itself, Georgia Power Company Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, and City of Dalton, Georgia (the owners), dated February 20, 2004 complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
 - D. 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
 - E. 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, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-81 is hereby amended to read as follows:

Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 111, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. Southern Nuclear shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Stephanie M. Coffin, Acting Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance: June 28, 2004

ATTACHMENT TO LICENSE AMENDMENT NO. 132

FACILITY OPERATING LICENSE NO. NPF-68

DOCKET NO. 50-424

AND

TO LICENSE AMENDMENT NO. 111

FACILITY OPERATING LICENSE NO. NPF-81

DOCKET NO. 50-425

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove
5.2-3

Insert
5.2-3

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 132 TO FACILITY OPERATING LICENSE NPF-68
AND AMENDMENT NO. 111 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 February 20, 2004, Southern Nuclear Operating Company (the licensee) proposed license amendments to change the Technical Specifications (TSs) for the Vogtle Electric Generating Plant (Vogtle), Units 1 and 2. The proposed changes would revise TS Administrative Controls 5.2.2.g to limit the requirement of the Shift Technical Advisor (STA) function to Modes 1-4 in accordance with NUREG-0737 and still meet the qualification specified by the Commission's Policy Statement on Engineering Expertise on Shift.

2.0 REGULATORY EVALUATION

Section 182a of the Atomic Energy Act of 1954, as amended (the "Act") requires applicants for nuclear power plant operating licenses to include TSs as a part of the license. The TSs ensure the operational capability of structures, systems, and components that are required to protect the health and safety of the public. The U.S. Nuclear Regulatory Commission's (NRC's or the Commission's) regulatory requirements that are related to the content of the TSs are contained in Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 50.36. 10 CFR 50.36 requires that the TSs include items in the following specific categories: (1) safety limits, limiting safety system settings, and limiting control settings (50.36(c)(1)); (2) limiting conditions for operation (50.36(c)(2)); (3) surveillance requirements (50.36(c)(3)); (4) design features (50.36(c)(4)); and (5) administrative controls (50.36(c)(5)).

Pursuant to 10 CFR 50.90, a licensee may apply for an amendment to its license, including the TSs incorporated into the license. In determining the acceptability of the proposed changes, the NRC staff interprets the requirements of the current version of 10 CFR 50.36. Within this general framework, licensees may revise their current TSs provided that a plant-specific review supports a finding of continued adequate safety because: (1) the change is editorial, administrative, or produces clarification (i.e., no requirements are materially altered); (2) the change is more restrictive than the licensee's current requirement; or (3) the change is less restrictive than the licensee's current requirement, but continues to afford adequate assurance of safety when judged against current regulatory standards.

Following the accident at Three Mile Island Unit 2 in March 1979, the NRC identified the need for power reactor licensees to assign an on-shift technical advisor who could provide engineering and accident assessment expertise to the shift supervisor in the event of abnormal or accident conditions. This position was designated as the STA. The qualifications for the person occupying the STA position are contained in the "Commission Policy Statement on Engineering Expertise on Shift," 50 FR 43621 (October 28, 1985), Regulatory Guide (RG) 1.8, Revision 3 (May 2000), and NUREG-0737, "Clarification of TMI Action Plan Requirements," Item I.A.1.1, dated November 1980. STA qualifications include a bachelor's degree in engineering or equivalent, plus specific training in plant design, layout, and controls.

The Commission's Policy Statement on Engineering Expertise on Shift provided two options for meeting the staffing requirements in 10 CFR 50.54(m)(2). It allows either an on-shift dedicated STA who meets the STA criteria of NUREG-0737, Item I.A.1.1, or an individual assigned to each operating shift crew who is a licensed Senior Reactor Operator on the nuclear power unit(s) to which he or she is assigned who meets the STA requirements of NUREG-0737, Item I.A.1.1.

The NRC staff finds that the licensee discussed the applicable regulatory guidance for revising the requirements of a STA in Enclosure 1 of its February 20, 2004 application. The regulatory guidance document for which the staff based its acceptance is Item I.A.1.1 of NUREG-0737.

3.0 TECHNICAL EVALUATION

The TS Administrative Controls Section 5.2.2.g currently states: "An individual shall be assigned to each shift who provides technical support in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the unit." The licensee proposed to make the following revision: "An individual shall be assigned who provides technical support in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the unit. This individual shall be available for duty when the plant is in Modes 1-4. At other times, this individual is not required."

Item I.A.1.1 of NUREG-0737 discussed the requirements for the STA. This section stated the following regarding the requirements for the STA function, in part: "... the staff continues to require that, in addition to the staffing requirements specified in its July 31, 1980 letter (as revised by Item I.A.1.3 of this enclosure), an STA be available for duty on each operating shift when a plant is being operated in Modes 1-4 for a PWR and Modes 1-3 for a BWR. At other times, an STA is not required to be on duty."

Currently, TS 5.2.2.g requires the STA function to be staffed on each operating shift regardless of operating mode. However, Item I.A.1.1 of NUREG-0737 only requires the STA to be staffed in Modes 1-4 for a PWR. The licensee's proposed change to limit the requirement to staff an STA to Modes 1-4 is consistent with the requirements of NUREG-0737, Item I.A.1.1. The proposed changes does not affect the qualification and experience requirements, or the responsibilities of the STA function.

The proposed revision to TS 5.2.2.g continues to meet with the Commission's Policy Statement on Engineering Expertise on Shift and is consistent with NUREG-1431, "Standard Technical Specifications - Westinghouse Plants." The qualification and experience requirements, and responsibilities continue to meet the guidance of RG 1.8, will ensure that engineering and

accident assessment expertise will be available on shift, consistent with NRC's expectations regarding the reactor operating mode as specified in NUREG-0737, Item I.A.1.1. The proposed revision is also consistent with the staffing requirements of 10 CFR 50.54(m)(2)(i). Therefore, the NRC staff finds the proposed changes acceptable.

4.0 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.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment relates to changes in recordkeeping, reporting or administrative procedures or requirements. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10)(ii). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

6.0 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 Contributors: Z. Cruz, NRR
C. Gratton, NRR

Date: June 28, 2004