November 11, 2004

Mr. L. M. Stinson
Vice President - Farley Project
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
Birmingham, Alabama 35201-1295

SUBJECT: JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2 RE: CLARIFICATION OF SAFETY EVALUATION (TAC NOS. MC0625 AND MC0626)

Dear Mr. Stinson:

By letter dated September 30, 2004, (Agencywide Documents Access and Management Systems ML042820368) the U.S. Nuclear Regulatory Commission (NRC) staff issued Amendment No. 165 to Facility Operating License No. NPF-2 and Amendment No. 157 to Facility Operating License No. NPF-8 for the Joseph M. Farley Nuclear Plant, Units 1 and 2. The amendments consisted of changes to the Technical Specification Limiting Condition of Operation 3.9.3, "Containment Penetrations," to allow the containment equipment hatch to be open during core alterations and/or during movement of irradiated fuel assemblies. Subsequently, your staff identified statements within the safety evaluation (SE) that are misleading.

For instance, on page 8 of the SE, the NRC staff states:

> In addition, the licensee proposed adding SR [surveillance requirement] 3.9.3.3. This SR would require that the licensee verify the capability to install the open equipment hatch every 7 days. The NRC staff finds that this surveillance and its associated period would verify that the assumptions for a 1 hour containment equipment hatch closure remain valid.

Furthermore, in other locations within the SE, the NRC staff implies that plant personnel could close the equipment hatch within 1 hour. However, during its evaluation of the amendment request, it was the NRC staff's understanding that, in the event of a fuel-handling accident (FHA) inside containment, the licensee will pursue timely closure of the equipment hatch. Consistent with the licensee's dose analysis, individuals in the containment closure crew will limit their exposure time to no more than 1 hour while closing the hatch, and the closure can be completed within 2 hours of the FHA to provide defense in depth.

We regret any inconvenience these statements may have caused.

Sincerely,

/RA/

Sean E. Peters, Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-348 and 50-364

cc: See next page

We regret any inconvenience these statements may have caused.

Sincerely,

/RA/

Sean E. Peters, Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-348 and 50-364

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Joseph M. Farley Nuclear Plant, Units 1 & 2

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