

April 6, 2005

Mr. Jeffrey T. Gasser
Executive Vice President
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201

SUBJECT: EMERGENCY OPERATIONS FACILITY (EOF) RELOCATION AND
CONSOLIDATION TO THE SOUTHERN NUCLEAR CORPORATE EOF
(TAC NOS. MC1056, MC1057, MC1058, MC1059, MC1060, AND MC1061)

Dear Mr. Gasser:

By letter dated October 16, 2003, as supplemented April 15 and August 16, 2004, Southern Nuclear Operating Company, Inc. (SNC, the licensee), submitted a request to the Nuclear Regulatory Commission (NRC) for review and approval for the consolidation of the near-site EOF facilities for the Edwin I. Hatch Nuclear Plant, Units 1 and 2 (Hatch), Joseph M. Farley Nuclear Plant, Units 1 and 2 (Farley), and Vogtle Electric Generating Plant, Units 1 and 2 (Vogtle), into a Corporate EOF currently used by SNC, in Birmingham, Alabama. The Corporate EOF would become a common EOF for Farley, Hatch, and Vogtle.

The standards that emergency response plans for nuclear reactors must meet are delineated in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.47(b) and in Appendix E to 10 CFR Part 50. Per SECY-96-170, dated September 18, 1996, Commission approval is required for an EOF located more than 25 miles from the nuclear plant. The SNC plants range from a distance of 213 miles to 352 miles from the common EOF.

We have reviewed the licensee's request and note the following:

- Because this distance is significantly greater than previously approved by the Commission and could no longer be considered "near-site," the NRC is granting an exemption from 10 CFR 50.47(b) and Appendix E to 10 CFR Part 50. The exemption is included as Enclosure 1.
- The NRC staff observed a dual-site drill on July 14, 2004. The NRC staff observed the licensee's notification process, staffing, communication, technical support, dose assessment, protective action recommendation process, coordination with offsite officials, and overall command and control. The licensee demonstrated the capability to respond to a dual-site emergency event.
- The licensee included in its submittal package letters of concurrence from the State and local emergency management agencies in Alabama, Florida, Georgia, and South Carolina. SNC has made provisions in the proposed common EOF to accommodate State emergency management agencies and local representatives.

- SNC previously staffed its Corporate EOF within 60 minutes from the time of notification of a site area emergency. SNC has committed to augmenting its emergency response organization to achieve operational status (including command and control functions) within 60 minutes from the time of notification (the time of notification will not exceed 15 minutes) of an Alert or higher emergency declaration. In addition, the licensee has established an on-call list/duty roster. These personnel are required to remain fit for duty and be able to respond to the EOF in 60 minutes.
- The licensee will provide the same level of communications that exists at its current EOFs: commercial telephones, bridge lines, radios, an offsite premise extension (to bypass local telephone switching), SNC's own phone system (Southern LINC), a direct ringdown system (Emergency Notification Network), and the Federal Telecommunication System lines for NRC use.
- SNC has a goal of activating the EOF in support of all activities that include Technical Support Center activation. This would result in a common EOF activation for a drill/exercise at least three times a year. In addition, as stated in the emergency plan, the licensee has committed to conducting a drill once every 5 years involving more than one SNC site.
- SNC has identified two positions that will have site-specific responsibilities (EOF Manager and Technical Supervisor). If an emergency event occurs at more than one site, an EOF Manager and a Technical Supervisor for each site will respond to the EOF. The NRC staff concluded that the establishment of a common EOF will effectively and efficiently support the SNC emergency response capability. This is consistent with promoting the common defense and security and ensuring there is reasonable assurance that protective measures can and will be implemented in the event of a radiological emergency at any of the SNC nuclear plants.

Based on the above, on December 23, 2004, the NRC staff recommended in SECY-04-236, "SOUTHERN NUCLEAR OPERATING COMPANY'S PROPOSAL TO ESTABLISH A COMMON EMERGENCY OPERATING FACILITY AT ITS CORPORATE HEADQUARTERS," that the Commission approve consolidation of the EOFs for Farley, Hatch, and Vogtle into the Birmingham common EOF. In SECY-04-236, the NRC staff discussed the distances between the plant locations and the proposed common EOF. Because the distances are significantly greater than other EOF relocations previously approved, the NRC could no longer consider the common EOF to be "near-site," and recommended that an exemption from the requirements of 10 CFR 50.47(b) and 10 CFR Part 50, Appendix E be granted for the affected plants. In a February 23, 2005, Staff Requirements Memorandum (SRM), the Commission accepted the NRC staff's recommendation to approve the EOF relocation and concurred with using an exemption for the approval of the SNC common EOF. The Commission noted in the SRM the former EOFs should maintain functionality in order to accommodate the NRC site team, if needed. Specific functionality requirements for the former EOFs are contained with the enclosed exemption.

As a result of the NRC staff's review and the Commission's acceptance of its recommendation, we find that the licensee's request to consolidate the EOFs for Farley, Hatch and Vogtle into the

J. Gasser

-3-

Birmingham common EOF is acceptable. The NRC staff will also closely monitor the consolidation effort to ensure that communication and coordination among stakeholders are not adversely affected by the consolidation. A copy of the exemption is enclosed. The exemption has been forwarded to the Office of the Federal Register for publication.

Sincerely,

/RA/

John A. Nakoski, Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-321, 50-366, 50-348, 50-364,
50-424, and 50-425

Enclosure: As stated

cc: See next page

J. Gasser

-3-

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