April 25, 2005

Mr. Jeffrey T. Gasser
Executive Vice President and
Chief Nuclear Officer
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
Birmingham, Alabama 35201-1295

SUBJECT: JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2, EDWIN I. HATCH NUCLEAR PLANT, UNITS 1 AND 2, AND VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2 RE: REQUEST FOR ALTERNATIVE ALIGNMENT OF IWE/IWL INSPECTION PROGRAM INTERVAL WITH CORRESPONDING PLANT ISI PROGRAM INTERVALS (TAC NOS. MC4870, MC4871, MC 4872, MC4873, MC4874, AND MC4875)

Dear Mr. Gasser:

By letter dated October 13, 2004, as supplemented by letter dated January 11, 2005, Southern Nuclear Operating Company, Inc. (the licensee), pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50.55a(a)(3), submitted a request for an alternative to the requirements of 10 CFR 50.55a(g)(4)(ii). Specifically, the licensee proposed aligning the current Edwin I. Hatch Nuclear Plant (HNP) Class MC and Vogtle Electric Generating Plant (VEGP) Class MC and Class CC inspection intervals to be consistent with the corresponding plant's Class 1, 2, and 3 Inservice Inspection (ISI) program interval. Additionally, the licensee requested that the Joseph M. Farley Nuclear Plant (FNP), Units 1 and 2, Class MC and Class CC inspection intervals to be consistent with the FNP, Unit 1, Class 1, 2, and 3 ISI program interval.

Consistent with the requirements set forth in 10 CFR 50.55a(g)(4)(iv), the Nuclear Regulatory Commission (NRC) staff has reviewed the licensee's request and the additional information provided and determined that the licensee adequately addressed the pertinent regulatory provisions. Therefore, the NRC staff concludes that the use of the proposed alternative to the requirements of 10 CFR 50.55a(g)(4)(ii) provides an acceptable level of quality and safety.

Accordingly, pursuant to 10 CFR 50.55a(a)(3)(ii), the licensee's proposed alternative of alignment of each IWE/IWL inspection program interval with the corresponding plant's ISI 120-month program interval for HNP, Units 1 and 2, VEGP, Units 1 and 2, and FNP, Units 1 and 2, is authorized.

Sincerely,

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

Docket Nos. 50-348, 50-364, 50-321, 50-366, 50-424, and 50-425

Enclosure: As stated

cc w/encl: See next page

Accordingly, pursuant to 10 CFR 50.55a(a)(3)(ii), the licensee's proposed alternative of alignment of each IWE/IWL inspection program interval with the corresponding plant's ISI 120-month program interval for HNP, Units 1 and 2, VEGP ,Units 1 and 2, and FNP, Units 1 and 2, is authorized.

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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

REQUEST FOR ALTERNATIVE ALIGNMENT OF IWE/IWL INSPECTION PROGRAM

INTERVAL WITH CORRESPONDING PLANT

INSERVICE INSPECTION PROGRAM INTERVALS

SOUTHERN NUCLEAR OPERATING COMPANY, INC., ET AL.

JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2

EDWIN I. HATCH NUCLEAR PLANT, UNITS 1 AND 2

VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2

DOCKET NOS. 50-348, 50-364, 50-321, 50-366, 50-424, AND 50-425

1.0 INTRODUCTION

By letter dated October 13, 2004, as supplemented by letter dated January 11, 2005, Southern Nuclear Operating Company, Inc. (SNC, the licensee) requested approval for an alternative to the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a(g)(4)(ii). Approval of its request would allow SNC to align each of the current Edwin I. Hatch Nuclear Plant (HNP) Class MC and Vogtle Electric Generating Plant (VEGP) Class MC and Class CC inspection intervals to be consistent with the corresponding plant's Class 1, 2, and 3 Inservice Inspection (ISI) program interval. In addition, it would allow the Joseph M. Farley (FNP), Units 1 and 2, Class MC and Class CC inspection intervals to be consistent with the FNP, Unit 1, Class 1, 2, and 3 ISI program interval.

2.0 REGULATORY EVALUATION

Pursuant to the requirements of 10 CFR 50.55a(g)(4), American Society of Mechanical Engineers (ASME) Code Class 1, 2, and 3 components are required to meet the provisions of the regulations, except the design and access provisions and the preservice examination requirements, set forth in the ASME Code, Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components," to the extent practical within the limitations of design, geometry and materials of construction of the components. Specifically, in 10 CFR 50.55a(g)(4)(ii), the regulations require that inservice examination of components and system pressure tests conducted during the first 10-year interval and subsequent intervals comply with the requirements in the latest edition and addenda of the ASME Code, Section XI, incorporated by reference in 10 CFR 50.55a(b) on the date 12 months prior to the start of the 120-month

interval, subject to the limitations and modifications listed therein.

10 CFR 50.55a(g)(4)(iv) states that where an examination requirement by the code or addenda is determined to be impractical by the licensee and is not included in the revised inservice inspection program as permitted by paragraph (g)(4) of this section, the basis for this determination must be demonstrated to the satisfaction of the Commission not later than 12 months after the expiration of the initial 120-month period of operation from start of facility commercial operation and each subsequent 120-month period of operation during which the examination is determined to be impractical.

10 CFR 50.55a(a)(3) states that alternatives to the requirements of paragraph (g) may be used, when authorized by the NRC, if (i) the proposed alternatives would provide an acceptable level of quality and safety, or (ii) compliance with the specified requirements would result in hardship or unusual difficulty without a compensating increase in the level of quality and safety.

In the *Federal Register* (61 FR 41303) dated August 8, 1996, the Commission amended 10 CFR 50.55a to incorporate by reference the 1992 Edition through the 1992 Addenda of the ASME Code, Section XI, Subsections IWE and IWL. Additionally, in 67 FR 60520, dated September 26, 2002, the Commission amended the rule incorporating the 1998 Edition with 1999 and 2000 Addenda of the ASME Code, Section XI. In 67 FR 6052, the NRC staff agreed with licensees' comments that the rule, dated August 8, 1996 (61 FR 41303), creates a hardship when implementing 120-month interval updates required by 10 CFR 50.55a(g)(4)(ii). The rule required licensees to implement an ISI program for Class MC and Class CC components using the 1992 Edition with the 1992 Addenda of IWE and IWL. Consequently, the schedule for 120-month interval updates for the ISI of Class MC and Class CC components and the ISI of Class 1, 2, and 3 components does not coincide. The NRC also stated in the *Federal Register* Notice that licensees may wish to synchronize 120-month interval updates such that the same edition and addenda of Section XI apply to the ISI of Class MC and Class CC components and the ISI of Class 1, 2, and 3 components. The NRC further indicated that licensees wishing to synchronize their 120-month intervals, may submit a request in accordance with 10 CFR 50.55a(a)(3) to obtain authorization to extend or reduce the 120-month intervals.

3.0 TECHNICAL EVALUATION

By letter dated October 13, 2004, SNC requested NRC approval for an alternative to the requirements of 10 CFR 50.55a(g)(4)(ii). On August 8, 1996, the NRC issued rulemaking (61 FR 41303) requiring licensees to implement the first period of IWE and IWL inservice examinations by September 9, 2001. Using Table IWE-2412-1 of the 1992 Edition with the 1992 Addenda of the ASME Section XI Code, the current Class MC and Class CC ISI interval start and end for all SNC nuclear plants were determined to be September 10, 1998, and September 9, 2008, respectively. SNC states in the submittal that these dates do not coincide with any of its Class 1, 2, and 3 ISI program intervals which are January 1, 1996, through December 31, 2005, for HNP, Units 1 and 2, May 31, 1997, through May 30, 2007, for VEGP, Units 1 and 2, December 1, 1997, through November 30, 2007, for the FNP, Unit 1, and July 30, 2001, through July 29, 2011, for FNP, Unit 2.

In its request, SNC proposed to change the current HNP Class MC and VEGP Class MC and Class CC inspection intervals to be consistent with the corresponding plant's Class 1, 2, and 3 ISI program interval. In addition, SNC proposed to change FNP, Units 1 and 2, Class MC

and Class CC inspection intervals to be consistent with the FNP, Unit 1, Class 1, 2, and 3 ISI program interval. The Class MC and Class CC inspection program interval updates will be performed concurrently with the next Class 1, 2, and 3 ISI program interval update of each corresponding plant. When reviewing the licensee's request, the proposed alignment of inspections program for FNP, Unit 2 was not clear to the NRC staff.

The NRC staff asked the licensee to (1) clarify the ISI program for FNP, Unit 2, and (2) provide a table showing the start and end dates of the inspection programs and the proposed IWE/IWL inspection program interval for each plant. In its letter dated January 11, 2005, the licensee stated that the request in the October 13, 2004, submittal was intended only to align the FNP, Units 1 and 2, IWE/IWL inspection program intervals with the FNP, Unit I, Class 1, 2, and 3 ISI program intervals. SNC did not request the realignment of the FNP, Unit 2, Class 1, 2, and 3 ISI program interval. The NRC staff reviewed the table provided by the licensee that contains the current ISI program interval and the proposed aligned IWE/IWL and ISI program interval start and end dates for each plant, and finds that the additional information provided in response to its request is adequate.

In requesting the use of an alternative pursuant to 10 CFR 50.55a(a)(3)(ii), the licensee explained that the different interval dates for IWE/IWL and Class1, 2 and 3 ISI programs create hardship because ISI programs are required to maintain two separate editions and addenda of Section XI, i.e., one edition applicable to the ISI of Class MC and Class CC components and another edition and addenda applicable to the ISI of Class 1, 2, and 3 components. Furthermore, SNC stated that aligning the IWE and IWL inspection programs with the ISI program for each plant will result in a more comprehensive examination being achieved, enhancing the possibility of detecting a generic problem, and will reduce the cost involved with maintaining two separate code versions should the use of different code versions be required. The NRC staff finds the licensee's argument reasonable.

In its request, SNC also stated that the use of the same edition and addenda of the code for each program would help prevent possible errors associated with maintaining separate programs with different requirements. SNC indicated that the remaining examinations for each of the current IWE and IWL inspection program intervals will correspond with the method required by the edition and addenda of the ASME Section XI Code adopted by the applicable SNC plant's updated ISI program and will be performed using the requirements of this edition and addenda in the sequence previously established by the current IWE and IWL inspection program interval. SNC further clarified that where the requirements of the latest edition and addenda of the ASME Section XI Code adopted by the ISI program cannot be met, relief will be requested from the NRC through the formal relief request process addressed in 10 CFR 50.55a. In its request, SNC committed that future relief requests will be submitted to the NRC in the updated ISI programs for each plant. The NRC staff concurs with the licensee's determination.

The proposed early updated IWE/IWL inspection program intervals are January 1, 2006, through December 31, 2015, for HNP, Units 1 and 2; May 31, 2007, through May 30, 2017, for VEGP, Units 1 and 2; and December 1, 2007, through November 30, 2017, for FNP, Units 1 and 2. SNC confirmed that it will carry these revised interval dates forward through the end of licensed operation for each plant and unit, and the early updates will be documented in each plant's IWE and IWL programs. On the basis of the information provided by the licensee in its request and in response to the request of additional information, the NRC staff finds that the licensee's request is consistent with 10 CFR 50.55a(g)(ii) and is, therefore, acceptable.

4.0 CONCLUSION

Consistent with the requirements set forth in 10 CFR 50.55a(g)(4)(iv), the NRC staff has reviewed the licensee's request and the additional information provided and determined that the licensee adequately addressed the pertinent regulatory provisions. Therefore, the NRC staff concludes that the use of the proposed alternative to the requirements of 10 CFR 50.55a(g)(4)(ii) provides an acceptable level of quality and safety. Accordingly, pursuant to 10 CFR 50.55a(a)(3)(ii), the licensee's proposed alternative of alignment of each IWE/IWL inspection program interval with the corresponding plant's ISI 120-month program interval for HNP, Units 1 and 2, VEGP ,Units 1 and 2, and FNP, Units 1 and 2, is authorized.

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Date: April 25, 2005

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