

May 19, 2006

Mr. Jeffery B. Archie  
Vice President, Nuclear Operations  
South Carolina Electric & Gas Company  
Virgil C. Summer Nuclear Station  
Post Office Box 88  
Jenkinsville, SC 29065

SUBJECT: VIRGIL C. SUMMER NUCLEAR STATION, UNIT NO. 1, ISSUANCE OF  
AMENDMENT REGARDING ELIMINATION OF MONTHLY OPERATING  
REPORTS AND CERTAIN ANNUAL REPORTS (TAC NO. MC9155)

Dear Mr. Archie:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 175 to Renewed Facility Operating License No. NPF-12 for the Virgil C. Summer Nuclear Station, Unit No. 1. The amendment changes the Technical Specifications (TSs) in response to your application dated November 29, 2005.

This amendment revises TS 6.9.1.5 and TS 6.9.1.10 by eliminating the requirements to submit monthly operating reports and occupational radiation exposure reports. This consolidated line item improvement process (CLIIP) TS change was noticed in the *Federal Register* on June 23, 2004, (69 FR 35067). In addition, the TSs are revised beyond the scope of the CLIIP by the deletion of the TS 6.9.15 requirement to report exceedence of coolant specific activity limits and an administrative change to a TS index page.

A copy of the related Safety Evaluation is enclosed. Notice of Issuance will be included in the Commission's Biweekly *Federal Register* notice.

Sincerely,

**/RA/**

Robert E. Martin, Senior Project Manager  
Plant Licensing Branch II-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-395

Enclosures:

1. Amendment No. 175 to NPF-12
2. Safety Evaluation

cc w/enclosures: See next page

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NRR-058

OFFICE	CLIIP LPM	NRR/LPL2-1/PM	NRR/LPL2-1/LA	OGC	ITSB/BC	NRR/LPL2-1/BC
NAME	WReckley	RMartin	CSola	PMoulding	TBoyce	EMarinos
DATE	1/6/06	4/3/06	4/3/06	5/1/06	4/05/06	5/04/06

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SOUTH CAROLINA ELECTRIC & GAS COMPANY

SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

DOCKET NO. 50-395

VIRGIL C. SUMMER NUCLEAR STATION, UNIT NO. 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 175  
Renewed License No. NPF-12

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by South Carolina Electric & Gas Company (the licensee), dated November 29, 2005, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations 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;
  - 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 amended by changes to the Technical Specifications, as indicated in the attachment to this license amendment; and paragraph 2.C.(2) of Renewed Facility Operating License No. NPF-12 is hereby amended to read as follows:

- (2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 175, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. South Carolina Electric & Gas Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

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

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Evangelos C. Marinos, Branch Chief  
Plant Licensing Branch II-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical  
Specifications

Date of Issuance: May 19, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 175  
TO RENEWED FACILITY OPERATING LICENSE NO. NPF-12  
DOCKET NO. 50-395

Replace page 3 of Renewed Facility Operating License No. NPF-12 with the attached revised page 3.

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 Pages

XIX  
6-13  
6-14  
6-16

Insert Pages

XIX  
6-13  
6-14  
6-16

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 175 TO  
RENEWED FACILITY OPERATING LICENSE NO. NPF-12  
SOUTH CAROLINA ELECTRIC & GAS COMPANY  
SOUTH CAROLINA PUBLIC SERVICE AUTHORITY  
VIRGIL C. SUMMER NUCLEAR STATION, UNIT NO. 1  
DOCKET NO. 50-395

1.0 INTRODUCTION

By application dated November 29, 2005, South Carolina Electric & Gas Company (SCE&G, the licensee) requested changes to the Technical Specifications (TSs) for the Virgil C. Summer Nuclear Station (VCSNS).

The amendment will delete the TS requirements to submit monthly operating reports and annual occupational radiation exposure reports. The change is consistent with Revision 1 of NRC-approved Technical Specifications Task Force (TSTF) Change Traveler, TSTF-369, "Elimination of Requirements for Monthly Operating Reports and Occupational Radiation Exposure Reports." This TS improvement was published in the *Federal Register* (69 FR 35067) on June 23, 2004, as part of the Consolidated Line Item Improvement Process (CLIIP).

In addition, the TS are revised beyond the scope of the CLIIP by the deletion of the TS 6.9.15 requirement to report exceedence of coolant specific activity limits and an administrative change to a TS index page.

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 state such TSs as the Commission may deem necessary. Such TSs shall be a part of the license issued. The Commission's regulatory requirements related to the content of TSs are set forth in Title 10 of the *Code of Federal Regulations* (10 CFR) 50.36, "Technical specifications." The regulation requires that TSs include items in five specific categories, including (1) safety limits, limiting safety system settings, and limiting control settings; (2) limiting conditions for operation (LCO); (3) surveillance requirements; (4) design features; and (5) administrative controls. However, the regulation does not specify the particular requirements to be included in a plant's TSs.

The Commission has provided guidance for the content of TSs in its "Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors," (58 FR 39132, published July 22, 1993) in which the Commission indicated that compliance with the Final Policy Statement satisfies Section 182a. of the Act. The Final Policy Statement identified four criteria to be used in determining whether a particular item should be addressed in the TSs as an LCO. The criteria were subsequently incorporated into 10 CFR 50.36 (60 FR 36593, published July 19, 1995). While the criteria specifically apply to LCO, the Commission indicated that the intent of these criteria may be used to identify the optimum set of administrative controls in the TSs. Addressing administrative controls, 10 CFR Part 50.36 states that they are, "the provisions relating to organization and management, procedures, record keeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner." The specific content of the administrative controls section of the TSs is, therefore, related to those programs and reports that the Commission deems essential for the safe operation of the facility, that are not adequately covered by regulations or other regulatory requirements. Accordingly, the NRC staff may determine that specific requirements, such as those associated with this change, may be removed from the administrative controls in the TSs if they are not explicitly required by 10 CFR 50.36(c)(5), and are not otherwise necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety.

The impetus for the monthly operating report (MOR) came from the 1973-1974 oil embargo. Regulatory Guide 1.16, Revision 4, "Reporting of Operating Information--Appendix A Technical Specifications," published for comment in August 1975, identifies operating statistics and shutdown experience information that was desired in the operating report at that time. In the mid-1990s, the NRC staff assessed the information that is submitted in the MOR and determined that while some of the information was no longer used by the NRC staff, the MOR was the only source of some data used in the NRC Performance Indicator (PI) Program of that time period (see NRC Generic Letter (GL) 97-02, "Revised Contents of the Monthly Operating Report"). Beginning in the late 1990s, the NRC developed and implemented a major revision to its assessment, inspection, and enforcement processes through its Reactor Oversight Process (ROP). The ROP uses both plant-level PI and inspections performed by NRC personnel. In conjunction with the development of the ROP, the NRC developed the Industry Trends Program (ITP). The ITP provides the NRC a means to assess overall industry performance using industry level indicators and to report on industry trends to various stakeholders (e.g., Congress). Information from the ITP is used to assess the NRC's performance related to its goal of having "no statistically significant adverse industry trends in safety performance." The ITP uses some of the same PI as the PI Program from the mid-1990s and, therefore, the NRC has a continuing use for the data provided in MOR. The NRC also uses some data from the MOR to support the evaluation of operating experience, licensee event reports, and other assessments performed by the NRC staff and its contractors.

The reporting requirements for the MOR (TS 6.9.1.10 for VCSNS) include challenges to the power operated relief valves (PORVs) or pressurizer safety valves. The reporting of challenges to the PORVs and safety valves was included in TSs based on the guidance in NUREG-0694, "[Three Mile Island] TMI-Related Requirements for New Operating Licensees." The industry proposed, and the NRC accepted, the elimination of the reporting requirements in TSs for challenges to PORVs and safety valves in Revision 4 to TSTF-258, "Changes to Section 5.0, Administrative Controls." The NRC staff's acceptance of TSTF-258 and subsequent approval of plant-specific adoptions of TSTF-258 is based on the fact that the information on challenges to relief and safety valves is not used in the evaluation of the MOR data, and that the information

needed by the NRC is adequately addressed by the reporting requirements in 10 CFR 50.73, "Licensee event reports."

TS 6.9.1.10 for VCSNS also includes a requirement to include in the MOR reports of major changes to radioactive waste treatment systems. This reporting requirement is not common within TSs for nuclear power plants and is not within the Standard TS (STS). Information related to changes to waste systems is usually provided to the NRC in updates to documents such as the updated final safety analysis reports (UFSARs), reports required by 10 CFR 50.59, "Changes, tests and experiments," and program documents such as the offsite dose calculation manual (ODCM) and process control program (PCP). The NRC also obtains information about the waste systems from routine plant inspections.

Licensees are required by TSs (TS 6.9.1.5 for VCSNS) to submit annual occupational radiation exposure reports (ORER) to the NRC. These reports, developed in the mid-1970s, supplement the reporting requirements currently defined in 10 CFR 20.2206, "Reports of individual monitoring," by providing a tabulation of data by work areas and job functions. The NRC included data from the ORER in its annual publication of NUREG-0713, "Occupational Radiation Exposure at Commercial Nuclear Power Reactors and Other Facilities," through the year 1997, but no longer includes the data in that or other reports.

### 3.0 TECHNICAL EVALUATION

#### 3.1 Monthly Operating Reports (MORs)

As previously mentioned, the administrative requirements in the TSs are reserved for "the provisions relating to organization and management, procedures, record keeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner." The current use of the information from the MOR is not related to reporting on or confirming the safe operation of specific nuclear power plants. Instead, the data is used by the NRC to assess and communicate with stakeholders regarding the overall performance of the nuclear industry. Data related to PI for specific plants are reported to the NRC as part of the ROP. The NRC staff has determined that the MOR does not meet the criteria defined for requirements to be included in the administrative section of TSs and the reporting requirement may, therefore, be removed.

Although the MOR does not satisfy the criteria for inclusion in TSs, the NRC staff nevertheless has a continuing need to receive the data in order to compile its reports on industry trends and to support other evaluations of operating experience. In addition, information such as plant capacity factors that are reported in the MOR are useful to the NRC staff and are frequently asked for by agency stakeholders. The NRC staff interacted with licensees, industry organizations, and other stakeholders during the development of the Consolidated Data Entry (CDE) program (currently being developed and maintained by the Institute of Nuclear Power Operations), regarding the use of an industry database like CDE to provide data currently obtained from the MOR. These discussions also involved the related Revision 1 to TSTF-369, "Elimination of Requirements for Monthly Operating Reports and Occupational Radiation Exposure Reports." As described in Section 4.0 of this safety evaluation (SE), the licensee is making a regulatory commitment to continue to provide the data identified in GL 97-02, following the removal of the TS requirement to submit MOR, and will, therefore, continue to meet the needs of the NRC staff for the ITP and other evaluations. The use of an industry database such as CDE is more efficient and cost-effective for both the NRC and licensees than would be



having the NRC staff obtain the needed information from other means currently available. Should a licensee fail to satisfy the regulatory commitment to voluntarily provide the information, the NRC could obtain the information through its inspection program (similar to the process described in NRC Inspection Procedure 71150, "Discrepant or Unreported Performance Indicator Data"), with the licensee being charged for the time spent by the NRC staff.

The only significant changes resulting from the adoption of TSTF-369 are that the information will be provided quarterly instead of monthly (although the operating data will still be divided by month) and the form of the reporting will be from a consolidated database such as CDE instead of in correspondence from individual licensees. The change of reporting frequency to quarterly has some advantages for both the NRC staff and licensees, since it will coincide with the collection and submission of the ROP PI data. In terms of the specific method used to transmit the data to the NRC, the licensee has committed (see Section 4.0 below) to provide data identified in GL 97-02 on a quarterly basis. The NRC staff believes that the most efficient process for licensees and the NRC will be for all licensees to use a system such as CDE. Such systems have advantages in terms of improved data entry, data checking, and data verification and validation. The NRC will recognize efficiency gains by having the data from all plants reported using the same computer software and format. Although the data may be transmitted to the NRC from an industry organization maintaining a database such as CDE, the licensee provides the data for the system and remains responsible for the accuracy of the data submitted to the NRC for its plant(s). The public will continue to have access to the data through official agency records accessible in ADAMS.

The content requirements for the MOR currently include information on challenges to the main steam safety/relief valves. As discussed in the previous section, the NRC staff has documented in its approval of TSTF-258 and related plant-specific amendments that the reporting of challenges to main steam safety/relief valves may be removed from TSs, since the information needed by the NRC is adequately addressed by the reporting requirements in 10 CFR 50.73, "Licensee event report." The NRC staff finds it acceptable to remove from TSs the requirement to report challenges to safety/relief valves, along with the other reporting requirements associated with the MOR.

The current requirements in VCSNS TS 6.9.1.10 for the MOR also include reports of major changes to radioactive waste treatment systems. This reporting requirement is not common within TSs for nuclear power plants and is not within the Standard TS (STS). Information related to changes to waste systems is usually provided to the NRC in updates to documents such as the updated final safety analysis reports (UFSARs), reports required by 10 CFR 50.59, "Changes, tests and experiments," and program documents such as the offsite dose calculation manual (ODCM) and process control program (PCP). The NRC also obtains information about the waste systems from routine plant inspections. Because the NRC staff receives this information from other sources, the NRC staff finds it acceptable to remove this reporting requirement from the VCSNS TSs as well.

### 3.2 Occupational Radiation Exposure Reports (ORER)

The information that the NRC staff needs regarding occupational doses is provided by licensees in the reports required under 10 CFR Part 20. The data from the Part 20 reports are sufficient to support the NRC trending programs, radiation related studies, and preparation of reports such as NUREG-0713. Accordingly, the NRC's limited use of the ORER submitted pursuant to the

existing TS requirements no longer warrants the regulatory burden imposed on licensees. Therefore, the NRC staff finds it acceptable that TS 5.6.1 is being deleted and the ORER will no longer be submitted by the licensee.

### 3.3 Report on Primary Coolant Activity

The second paragraph of VCSNS TS 6.9.1.5 also includes a requirement to submit in the annual report results of specific activity analysis if the primary coolant activity exceeded the limits of TS 3.4.8, "Specific Activity." This reporting requirement was added to the VCSNS TS in the mid-1980's (see Generic Letter 85-19, "Reporting Requirements on Primary Coolant Iodine Spikes"), but is no longer common within TSs for nuclear power plants and is not within the STS. The NRC would expect to obtain information about such events or conditions through reports submitted in accordance with 10 CFR 50.72, "Immediate notification requirements for operating nuclear reactors," and 10 CFR 50.73, "Licensee event report system." For example, it is noted that exceedence of VCSNS TS 3.4.8 limits requires a plant shutdown and that both the exceedence of the TS limits and the plant shutdown are required to be reported by 10 CFR 50.72. The NRC also obtains information about plant events and adverse conditions from its inspection program. On these bases, the NRC staff finds it acceptable that the second paragraph of TS 6.9.1.5 is being deleted.

## 4.0 VERIFICATIONS AND COMMITMENTS

In order to efficiently process incoming license amendment applications, the NRC staff requested each licensee requesting the changes addressed by TSTF-369 using the CLIIP to address the following plant-specific regulatory commitment.

Each licensee should make a regulatory commitment to provide to the NRC, using an industry database, the operating data (for each calendar month) that is described in GL 97-02 "Revised Contents of the Monthly Operating Report," by the last day of the month following the end of each calendar quarter. The regulatory commitment will be based on use of an industry database (e.g., the industry's CDE program, currently being developed and maintained by the Institute of Nuclear Power Operations).

SCE&G has made a regulatory commitment to provide to the NRC, using an industry database, the operating data (for each calendar month) that is described in GL 97-02 "Revised Contents of the Monthly Operating Report," by the fifteenth day of the second month following the end of each calendar quarter.<sup>1</sup> The regulatory commitment will be based on use of an industry database (e.g., the industry's CDE program, currently being developed and maintained by INPO). This regulatory commitment will be implemented to prevent any gaps in the monthly operating statistics and shutdown experience provided to the NRC (i.e., data for all months will be provided using one or both systems (MOR and CDE)).

The NRC staff finds that reasonable controls for the implementation and for subsequent evaluation of proposed changes pertaining to the above regulatory commitment can be provided by the licensee's administrative processes, including its commitment management

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<sup>1</sup>

In subsequent discussions between the NRC staff and the Institute of Nuclear Power Operation, the staff has agreed that the report may be provided within approximately 45 days instead of the 30 days described in the CLIIP model application. SCE&G has revised its plant-specific regulatory commitment accordingly.

program. The NRC staff has agreed that Nuclear Energy Institute 99-04, Revision 0, "Guidelines for Managing NRC Commitment Changes," provides reasonable guidance for the control of regulatory commitments made to the NRC staff (see Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000). The NRC staff notes that this amendment establishes a voluntary reporting system for the operating data that is similar to the system established for the ROP PI Program. Should the licensee choose to incorporate a regulatory commitment into the final safety analysis report or other document with established regulatory controls, the associated regulations would define the appropriate change-control and reporting requirements.

#### 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the State of South Carolina official was notified of the proposed issuance of the amendment. The State official had no comments.

#### 5.0 ENVIRONMENTAL CONSIDERATION

The amendment relates to changes in recordkeeping, reporting, or administrative procedures or requirements. The NRC staff has therefore determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (71 FR 13178, March 14, 2006). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

#### 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 amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: W. Reckley

Date: May 19, 2006

Mr. Jeffrey B. Archie  
South Carolina Electric & Gas Company

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