

June 7, 2007

Mr. Dennis R. Madison
Vice President - Hatch
Edwin I. Hatch Nuclear Plant
11028 Hatch Parkway North
Baxley, GA 31513

SUBJECT: EDWIN I. HATCH NUCLEAR PLANT, UNIT NOS. 1 AND 2, ISSUANCE OF
AMENDMENTS REGARDING CHANGES TO SECTIONS 2 AND 5 OF THE
TECHNICAL SPECIFICATIONS REFLECTING A SITE VICE PRESIDENT
ORGANIZATIONAL STRUCTURE (TAC NOS. MD4202 AND MD4203)

Dear Mr. Madison:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 252 to Renewed Facility Operating License DPR-57 and Amendment No. 196 to Renewed Facility Operating License NPF-5 for the Edwin I. Hatch Nuclear Plant, Units 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated January 30, 2007, and supplemented by your letter dated April 11, 2007.

The amendments revise staff position duties and titles in Sections 2 and 5 of the (TSs).

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/

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

Docket Nos. 50-321 and 50-366

Enclosures:

1. Amendment No. 252 to DPR-57
2. Amendment No. 196 to NPF-5
3. Safety Evaluation

cc w/encls: See next page

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Amendment No. ML071220319

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SOUTHERN NUCLEAR OPERATING COMPANY, INC.

GEORGIA POWER COMPANY

OGLETHORPE POWER CORPORATION

MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA

CITY OF DALTON, GEORGIA

DOCKET NO. 50-321

EDWIN I. HATCH NUCLEAR PLANT, UNIT NO.1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 252
Renewed License No. DPR-57

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Edwin I. Hatch Nuclear Plant, Unit 1 (the facility) Renewed Facility Operating License No. DPR-57 filed by 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 January 30, 2007, and supplemented by letter dated April 11, 2007, 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 Renewed Facility Operating License No. DPR-57 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 252, are hereby incorporated in the 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 30 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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

Attachment:
Changes to Renewed Facility
Operating License No. DPR-57
and the Technical Specifications

Date of Issuance: June 7, 2007

ATTACHMENT TO LICENSE AMENDMENT NO. 252

RENEWED FACILITY OPERATING LICENSE NO. DPR-57

DOCKET NO. 50-321

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

Remove Pages

License

4

TSs

2.0-1

2.0-2

5.0-1

5.0-2

5.0-4

5.0-5

5.0-7

Insert Pages

License

4

TSs

2.0-1

2.0-2

5.0-1

5.0-2

5.0-4

5.0-5

5.0-7

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

GEORGIA POWER COMPANY

OGLETHORPE POWER CORPORATION

MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA

CITY OF DALTON, GEORGIA

DOCKET NO. 50-366

EDWIN I. HATCH NUCLEAR PLANT, UNIT NO. 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 196
Renewed License No. NPF-5

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Edwin I. Hatch Nuclear Plant, Unit 2 (the facility) Renewed Facility Operating License No. NPF-5 filed by 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 January 30, 2007, and supplemented by letter dated April 11, 2007, 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 Renewed Facility Operating License No. NPF-5 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 196, are hereby incorporated in the 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 30 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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

Attachment:
Changes to Renewed Facility
Operating License No. NPF-5
and the Technical Specifications

Date of Issuance: June 7, 2007

ATTACHMENT TO LICENSE AMENDMENT NO. 196

RENEWED FACILITY OPERATING LICENSE NO. NPF-5

DOCKET NO. 50-366

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

Remove Pages

License

4

TSs

2.0-1

2.0-2

5.0-1

5.0-2

5.0-4

5.0-5

5.0-7

Insert Pages

License

4

TSs

2.0-1

2.0-2

5.0-1

5.0-2

5.0-4

5.0-5

5.0-7

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO
AMENDMENT NO. 252 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-57
AND
AMENDMENT NO. 196 TO RENEWED FACILITY OPERATING LICENSE NO. NPF-5
SOUTHERN NUCLEAR OPERATING COMPANY, INC.
EDWIN I. HATCH NUCLEAR PLANT, UNIT NOS. 1 AND 2
DOCKET NOS. 50-321 AND 50-366

1.0 INTRODUCTION

By application dated January 30, 2007 (Reference 1), Southern Nuclear Operating Company, Inc. (SNC), requested changes to the Technical Specifications (TSs) for the Edwin I. Hatch Nuclear Plant, Unit Nos. 1 and 2 (HNP). This application was supplemented by a letter dated April 11, 2007 (Reference 2) containing additional clarifying changes. The supplement dated April 11, 2007, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on February 13, 2007 (72 FR 6790).

The licensee stated that it had decided to change to a site vice president organizational structure for HNP as well as for the two other plants operated by SNC, the Joseph M. Farley Nuclear Plant, Unit Nos. 1 and 2 (FNP), and the Vogtle Electric Generating Plant, Unit Nos. 1 and 2 (VEGP). This includes the physical relocation of the SNC vice president for HNP from the corporate office to the plant site, the establishment of the position of Vice President, Fleet Operations Support, in the corporate offices, the elimination of the position of fleet support general manager in the corporate offices, and further detailed changes to the TSs, as discussed below. Of these changes, only those relating to the vice president position for HNP impact the TSs.

The proposed changes modify various titles and responsibilities described in Sections 2 and 5 of the TSs to reflect a site vice president organizational structure. Specifically, the position of Vice President-Hatch was created along with the elimination of the assistant plant manager position. As a part of this change the site support manager position was added into Section 5 of the TSs. Duties formerly assigned to the corporate vice president responsible for overall plant safety, plant manager and assistant plant manager were allocated to the Vice President-Hatch, plant manager and site support manager positions.

2.0 REGULATORY EVALUATION

Section 182.a 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 Nuclear Regulatory Commission's (NRC) 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. Section 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 operations (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.

The NRC staff finds that the licensee discussed the applicable regulatory guidance for revising the plant-specific personnel titles in Enclosure 1 of its January 30, 2007, application. The regulatory guidance documents for which the staff based its acceptance are American National Standards Institute's (ANSI's) N18.1-1971 Standard (Reference 3) and Regulatory Guide (RG) 1.8 (Reference 4).

3.0 TECHNICAL EVALUATION

The NRC staff has reviewed the licensee's regulatory and technical analyses in support of its proposed license amendment. The NRC staff notes that throughout the subject TS pages the licensee proposes to capitalize certain titles and terms. These changes are editorial in nature and are acceptable.

TS 2.2 Safety Limits

The HNP TS Section 2.2, "SL (Safety Limit) Violations," includes several reporting requirements in its Sections 2.2.3 and 2.2.4. The licensee proposes to strike the TS requirement to report an SL violation to the "corporate executive responsible for overall plant nuclear safety" and replace that with a requirement to report it to the "Vice President - Hatch." The NRC staff finds these terms to be equivalent for this purpose and, therefore, to constitute no change to the TS requirements and to be acceptable. The NRC staff further notes that TS 2.2.3 and TS 2.2.4 are in excess of the TS requirements for an SL violation contained in the Standard TS. Further, the regulatory reporting requirements are also included in 10 CFR 50.72, "Immediate notification requirements for operating nuclear power reactors," and 10 CFR 50.73, "Licensee event report system."

TS 5.1 Responsibility

TS 5.1.1 would be changed to elevate the responsibility from the plant manager to the Vice President - Hatch for provision of direct executive oversight over all aspects of HNP.

This change is more restrictive than the licensee's current requirement and is acceptable.

TS 5.1.2 would be changed to elevate the responsibility for overall unit operation from the assistant plant manager to the Plant Manager. The assistant plant manager position is being eliminated. This change is more restrictive than the licensee's current requirement and is acceptable. The NRC staff further notes that this change is consistent with the Standard TSs (STSS).

With the change in responsibility for TS 5.1.2 to the Plant Manager, the previously existing exception that assigned responsibility for the Radiological Environmental Monitoring Program (REMP) to the Plant Manager, is no longer needed and is removed. The current TS 5.1.3 continues to assign responsibility for the REMP to the Plant Manager and this is unchanged by the proposed TS changes. Accordingly, this proposed change is acceptable.

TS 5.1.2 is also proposed to be changed to assign certain responsibilities from the now deleted position of assistant plant manager to the Site Support Manager. This is a level of specificity in assignments beyond that of the STSS and is acceptable.

TS 5.1.1 for FNP and VEGP designates the responsibilities for overall unit operation that are addressed in TS 5.1.2 for the HNP. TS 5.1.1 for FNP and VEGP, but not HNP, also includes the designation for approval of tests, experiments or modifications to systems or equipment that affect nuclear safety. The NRC staff noted in its review that, if the responsibility for this function were elevated from the Plant Manager to the Site Vice President (VP), the TS 5.3.1, "Unit Staff Qualifications," referencing American National Standards Institute (ANSI) N18.1-1971 would not capture the qualification requirements for the Site VP position. Absent other information, the NRC staff would generally regard the ANSI N18.1-1971, Section 4.2 definition of Plant Managers to be consistent with the plant manager position currently specified in the HNP, FNP and VEGP TSs. However, the licensee responded to this issue in a letter dated April 11, 2007, clarifying that SNC views the title "plant manager" in ANSI N18.1-1971 to apply to the position that SNC has designated as the Site Vice President at each of the SNC sites.

The qualifications for the generic title "plant manager" in ANSI N18.1-1971, Section 4.2.1, are understood by SNC to apply to the top ranking position that is a member of the onsite operating organization, as described in ANSI N18.1-1971, Section 3.2. Section 3.2.1 notes that the plant manager may be called plant superintendent, or other title. In the case of the SNC organization, the vice president is the top position of the onsite operating organization. Therefore, the qualification requirements for "plant manager" provided in ANSI N18.1-1971 apply to the vice president located at each SNC plant. Accordingly, the vice president located at each SNC plant will meet the qualification requirements of ANSI N18.1-1971 necessary to approve: (1) tests, experiments, and modifications to systems or equipment that affect nuclear safety; and (2) the ODCM.

SNC proposes to modify Technical Specification 5.3.1 for each site to define the vice president - plant and plant manager as members of the unit staff. Defining the vice president - plant and plant manager as members of the unit staff provides clarification that the minimum qualification requirements of ANSI N18.1-1971 also apply to the vice president - plant and plant manager.

Accordingly, SNC proposes to modify TS 5.3.1, "Unit Staff Qualifications" for HNP, FNP and VEGP, to clarify that both the site vice president and the plant manager will meet the minimum qualifications of ANSI N18.1-1971. This is acceptable to the NRC staff because it will continue to impose the ANSI N18.1-1971 qualification requirements on the position responsible for overall unit operation and, specifically for FNP and VEGP, the position responsible for approval of tests, experiments and modifications.

TS 5.5.1 Offsite Dose Calculation Manual (ODCM)

A similar situation to that discussed above for TS 5.1 applies to the proposed change in approval authority for the ODCM from plant manager to the site vice president. For the same reasons as discussed above, the NRC staff finds the change acceptable.

TS 5.2.1 Onsite and Offsite Organizations

TS 5.2.1.b would be changed to elevate the responsibility for overall unit operation from the assistant plant manager to the Plant Manager. This change is more restrictive than the licensee's current requirement and is acceptable.

TS 5.2.1.c would be changed from "The corporate executive responsible for Plant Hatch shall take any measures needed to ensure acceptable performance of the staff ..." to "The Vice President - Hatch shall have corporate responsibility for overall plant nuclear safety and shall take any measures needed to ensure acceptable performance of the staff ..." The NRC staff finds these terms to be generally equivalent, and to provide a more specific description of the position having this responsibility. On this basis, the NRC staff finds the change acceptable. The proposed change is also consistent with the STSs.

TS 5.2.2 Unit Staff

TS 5.2.2.e would be changed to elevate several responsibilities from the assistant plant manager to the Plant Manager. This change is more restrictive than the licensee's current requirement and is acceptable.

Summary

On the bases discussed above, the NRC staff concludes that the new staff position titles, qualification and experience requirements, and responsibilities continue to meet the guidance of ANSI N18.1-1971 and are 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 amendments relate 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). 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.

7.0 REFERENCES

1. Letter, Jeffrey T. Gasser, SNC, to NRC, "License Amendment Request to Revise Technical Specifications Southern Nuclear Operating Company Reorganization," dated January 30, 2007, Agencywide Documents Access and Management System (ADAMS) Accession No. ML070310272.
2. Letter, Jeffrey T. Gasser, SNC, to NRC, "Response to Request for Additional Information," dated April 11, 2007, ADAMS ML071020498.
3. American National Standards Institute's, "Selection and Training of Nuclear Power Plant Personnel," ANSI N18.1 - 1971, approved March 8, 1971.
4. Regulatory Guide 1.8, "Qualification and Training of Personnel for Nuclear Power Plants", Revision 2, ADAMS ML003739928.

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Date: June 7, 2007

Edwin I. Hatch Nuclear Plant, Units 1 & 2

cc:

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