

June 12, 2007

Mr. Tom E. Tynan
Vice President - Vogtle
Vogtle Electric Generating Plant
7821 River Road
Waynesboro, GA 30830

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT, UNIT NOS. 1 AND 2, ISSUANCE
OF AMENDMENTS REGARDING CHANGES TO THE TECHNICAL
SPECIFICATIONS REFLECTING CHANGE IN ORGANIZATIONAL
STRUCTURE (TAC NOS. MD4204 AND MD4205)

Dear Mr.Tynan:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 148 to Facility Operating License NFP-68 and Amendment No. 128 to Facility Operating License NPF-81 for the Vogtle Electric Generating Plant, Units 1 and 2 (VEGP), respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated January 30, 2007, supplemented by your letter dated April 11, 2007.

The amendments revise Sections 2 and 5 of the TSs to reflect the change in organizational structure for VEGP.

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/

Balwant K. Singal, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-424 and 50-425

Enclosures:

1. Amendment No. 148 to NPF-68
2. Amendment No. 128 to NPF-81
3. Safety Evaluation

cc w/encls: See next page

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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. 50-424

VOGTLE ELECTRIC GENERATING PLANT, UNIT NO.1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 148

License No. NPF-68

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Vogtle Electric Generating Plant, Unit 1 (the facility) Facility Operating License No. NPF-68 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 Facility Operating License No. NPF-68 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. 148 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this 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 License No. NPF-68
and the Technical Specifications

Date of Issuance: June 12, 2007

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

GEORGIA POWER COMPANY

OGLETHORPE POWER CORPORATION

MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA

CITY OF DALTON, GEORGIA

DOCKET NO. 50-425

VOGTLE ELECTRIC GENERATING PLANT, UNIT NO.2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 128
License No. NPF-81

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Vogtle Electric Generating Plant, Unit 2 (the facility) Facility Operating License No. NPF-81 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 Facility Operating License No. NPF-81 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. 128 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this 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 License No. NPF-81
and the Technical Specifications

Date of Issuance: June 12, 2007

ATTACHMENT

TO LICENSE AMENDMENT NO. 148

FACILITY OPERATING LICENSE NO. NPF-68

DOCKET NO. 50-424

AND

TO LICENSE AMENDMENT NO. 128

FACILITY OPERATING LICENSE NO. NPF-81

DOCKET NO. 50-425

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

License No. NPF-68, page 4
License No. NPF-81, page 4

TSs

2.0-1
5.1-1
5.2-1
5.2-3
5.3-1
5.5-1

Insert Pages

License

License No. NPF-68, page 4
License No. NPF-81, page 4

TSs

2.0-1
5.1-1
5.2-1
5.2-3
5.3-1
5.5-1

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO

AMENDMENT NO. 148 TO FACILITY OPERATING LICENSE NO. NPF-68

AND

AMENDMENT NO. 128 TO FACILITY OPERATING LICENSE NO. NPF-81

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

VOGTLE ELECTRIC GENERATING PLANT, UNIT NOS. 1 AND 2

DOCKET NOS. 50-424 AND 50-425

1.0 INTRODUCTION

By letter dated January 30, 2007, Agencywide Documents Access and Management System (ADAMS) Accession No. ML070310272), Southern Nuclear Operating Company, Inc. (SNC), requested changes to the Technical Specifications (TSs) for the Vogtle Electric Generating Plant, Unit Nos. 1 and 2 (VEGP). This application was supplemented by a letter dated April 11, 2007 (ADAMS Accession No. ML071020498) providing 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 the *Federal Register* on February 13, 2007 (72 FR 6791).

The licensee stated that it had decided to change to a site vice president organizational structure for VEGP, as well as for the two other plants operated by SNC, the Joseph M. Farley Nuclear Plant (FNP), Units 1 and 2, and the Edwin I. Hatch Nuclear Plant (HNP), Units 1 and 2. This includes the physical relocation of the SNC vice president for VEGP 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 the Fleet Support General Manager in the corporate offices, and associated changes to the TS, as discussed below.

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-Vogtle was created. Duties formerly assigned to the corporate vice president responsible for overall plant safety and general manager - nuclear plant were allocated to the Vice-President Vogtle and the Plant Manager positions.

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 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 NRC staff's review was based on the guidance provided by Regulatory Guide 1.8, "Qualification and Training of Personnel for Nuclear Power Plants", Revision 2.

3.0 TECHNICAL EVALUATION

The NRC staff has reviewed the licensee's regulatory and technical analyses in support to its proposed license amendment, as follows. The staff's review is based on the following clarification and TS changes proposed by SNC.

TS 5.1.1 for VEGP designates the responsibilities for overall unit operation. TS 5.1.1 for VEGP also include the designation of the person responsible 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 Vice President - Vogtle, the TS 5.3.1, "Unit Staff Qualifications," referencing Regulatory Guide 1.8, Revision 2, 1987 would not capture the qualification requirements for the Vice President - Vogtle. Based on Regulatory Position 2 of Regulatory Guide 1.8, the NRC staff would generally regard the ANSI N18.1-1971, Section 4.2 definition of plant managers to be consistent with the General Manager - Nuclear Plant position currently specified in the 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 also apply to the position that SNC has designated as the Vice President - Vogtle.

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 [Offsite Does Calculation Manual].

SNC proposes to modify Technical Specification 5.3.1 for VEGP to define the Vice President - Vogtle and Plant Manager as members of the unit staff. Defining the Vice President - Vogtle and Plant Manager as members of the unit staff provides clarification that the minimum qualification requirements of ANSI N18.1-1971 apply to both the Vice President - Vogtle and Plant Manager .

Accordingly, SNC proposes to modify TS 5.3.1, "Unit Staff Qualifications" for VEGP, to clarify that both the Vice President - Vogtle and the Plant Manager will meet the minimum qualifications of Regulatory Guide 1.8, Revision 2. This is acceptable to the NRC staff because Regulatory Position 2 of the Regulatory Guide will continue to impose the ANSI N18.1-1971 qualification requirements on the position responsible for overall unit operation and the position responsible for approval of tests, experiments, and modifications.

TS 2.2 Safety Limits

The VEGP TS Section 2.2, "SL (Safety Limit) Violations," includes reporting requirements in its Section 2.2.4. The licensee proposes to change the TS reporting requirements for an SL violation from reporting an SL violation to the General Manager - Nuclear Plant and the Vice President - Nuclear, to reporting an SL violation to the Plant Manager and Vice President - Vogtle. 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 2.2.4 is in excess of the TS requirements for an SL violation contained in the Standard TS and that 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 will be changed to state that the Plant Manager shall be responsible for overall unit operation and shall delegate in writing the succession to this responsibility during his absence in place of the General Manager - Nuclear Plant in the existing TSs. 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.

TS 5.1.1 would also be changed to elevate the responsibility from the General Manager - Nuclear Plant or his designee to Vice President - Vogtle or his designee to approve, prior to implementation, each proposed test, experiment, or modification to systems or equipment that

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

TS 5.2.1 Onsite and Offsite Organizations

TS 5.2.1.b will be changed to state that the Plant Manager shall be responsible for overall safe operation of the plant and shall have control over those onsite activities necessary for safe operation and maintenance of the plant in place of the General Manager - Nuclear Plant in the existing TSs. 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.

TS 5.2.1.c will be changed to state that Vice President - Vogtle shall have corporate responsibility for overall plant nuclear safety and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the plant to ensure nuclear safety in place of the Vice President - Nuclear in the existing TSs. The NRC staff finds these terms to be generally equivalent and 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 STS.

TS 5.2.2 Unit Staff

TS 5.2.2.e will be changed to state that controls shall be included in the procedures such that individual excess overtime shall be reviewed by the Plant Manager or his designee to assure the excessive hours were authorized and they do not become routine in place of the General Manager - Nuclear Plant stated by the existing TSs. 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.

TS 5.5.1 Offsite Does Calculation Manual (ODCM)

TS 5.5.1.b for changes to the ODCM will be revised to state that the changed ODCM shall become effective after the approval by the Vice President - Vogtle in place of the General Manager - Nuclear Plant stated by the existing TSs. 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 Regulatory Guide 1.8, Revision 2 and 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.

Principal Contributor: Balwant K. Singal

Date: June 12, 2007

Vogtle Electric Generating Plant, Units 1 & 2

cc:

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