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NL-07-1099

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555-0001

Edwin I. Hatch Nuclear Plant
Joseph M. Farley Nuclear Plant
Vogtle Electric Generating Plan
Quality Assurance Topical Report –
Clarification of RAI Response

Ladies and Gentlemen:

Southern Nuclear Operating Company (SNC) is the licensed operator of the Edwin I. Hatch Nuclear Plant (Hatch), Joseph M. Farley Nuclear Plant (Farley), and the Vogtle Electric Generating Plan (Vogtle). By letter NL-06-2352, dated June 29, 2006, SNC submitted the Quality Assurance Topical Report (QATR) to the NRC for review and approval in accordance with the provisions of 10 CFR 50.54(a)(4). By letter NL-07-0835, dated April 30, 2007, SNC provided a response to NRC request for additional information (RAI) dated February 22, 2007. SNC participated in a conference call with the NRC staff on May 10, 2007, to discuss the SNC response to the NRC RAI. Based on this discussion, a need for additional clarification necessary to complete the review was identified by the NRC staff. Accordingly, the requested clarification is provided in Enclosure 1 of this letter. Enclosure 2 provides changes to SNC's RAI response, dated April 30, 2007, and supersedes the corresponding pages in their entirety.

Please advise if you have any question.

Sincerely,

A handwritten signature in black ink, appearing to read "B. J. George", is written over a horizontal line.

B. J. George
Manager, Nuclear Licensing

BJG/TWS/daj

Enclosures: 1. Clarification of RAI Response
2. SNC Letter NL 07-0835, dated April 30, 2007 – Changed Pages

cc: Southern Nuclear Operating Company
Mr. J. T. Gasser, Executive Vice President
Mr. J. R. Johnson, Vice President – Farley
Mr. D. R. Madison., Vice President – Hatch
Mr. T. E. Tynan, Vice President – Vogtle
Mr. D. H. Jones, Vice President – Engineering
RType: CFA04.054; CHA.004; CVC7000; LC# 14585

U. S. Nuclear Regulatory Commission
Dr. W. D. Travers, Regional Administrator
Ms. K. R. Cotton, NRR Project Manager – Farley
Mr. R. E. Martin, NRR Project Manager – Hatch
Mr. B. K. Singal, NRR Project Manager – Vogtle
Mr. E. L. Crowe, Senior Resident Inspector – Farley
Mr. J. A. Hickey, Senior Resident Inspector – Hatch
Mr. G. J. McCoy, Senior Resident Inspector – Vogtle

Enclosure 1
Southern Nuclear Operating Company
Quality Assurance Topical Report

Clarification of RAI Response

The following items were identified as requiring additional clarification during telephone conference with the NRC held on Thursday, May 10, 2007.

1. Definition of Qualified Engineer

The NRC requested additional clarification regarding use of qualified engineers, as defined in the SNC QATR, for planning inspections, evaluating the capabilities of an inspector, or evaluating the training program for inspectors. The language contained in Section 2.4 of the proposed SNC QATR states the following with regard to qualified engineers:

A qualified engineer may be used to plan inspections, evaluate the capabilities of an inspector, or evaluate the training program for inspectors. For the purpose of these functions, a qualified engineer is one who has a baccalaureate in engineering in a discipline related to the inspection activity (such as electrical, mechanical, civil) and has a minimum of five years engineering work experience with at least two years of this experience related to nuclear facilities.

During the telephone conference with the NRC staff, SNC agreed in principle to incorporate language into the SNC QATR Section 2.4 to reflect the following additional language identified in bold text based on NQA-1-1994, Non-mandatory Appendix 2A-1, Section 3.3.4:

*A qualified engineer may be used to plan inspections, evaluate the capabilities of an inspector, or evaluate the training program for inspectors. For the purposes of these functions, a qualified engineer is one who has a baccalaureate in engineering in a discipline related to the inspection activity (such as electrical, mechanical, civil) and a minimum of 5 years of **related experience in equivalent inspections or testing activities** with at least 2 years of this experience associated with nuclear facilities.*

However, further investigation by SNC identified the exact language initially proposed by SNC in Section 2.4 of the QATR is also contained in the Dominion Nuclear Facilities Quality Assurance Program Description (NFQAPD). Specifically, Section 2.5.5(2) of the Dominion NFQAPD states:

A qualified engineer may be used to plan inspections, evaluate the capabilities of an inspector, or evaluate the training program for inspectors. For the purposes of these functions, a qualified engineer is one who has a baccalaureate in engineering in a discipline related to the inspection activity (such as electrical, mechanical, civil) and has a minimum of five years work experience with at least two years of this experience related to nuclear facilities.

Further, the NRC SER dated September 9, 2005, which provided NRC approval for the Dominion NFQAPD, stated the following in Section 4.3.1 titled, "Exceptions and Alternatives to NQA-1-1994":

An additional alternative to NQA-1-1994 Appendix 2A-1 is the definition of a qualified engineer. Specifically, a qualified engineer may be used to plan inspections, evaluate the capabilities of an inspector, or evaluate the training program for inspectors. For the purposes of these functions, a qualified engineer is one who has a baccalaureate in engineering in a discipline related to the inspection activity (such as electrical, mechanical, civil) and has a minimum of five years engineering work experience with at least two years of this experience related to nuclear facilities.

In the NRC's conclusion regarding the exceptions and alternatives proposed by Dominion, the NRC provided the following:

The NRC staff has examined the licensee's basis for adopting NQA-1-1994, as implemented through the NFQAPD, as the basis for the licensee's QA program description and finds it to be an acceptable method for complying with the Commission's regulations with regard to overall QA program requirements for the operation phase of nuclear power plants. The NRC staff has also reviewed the basis for each exception and alternative to NQA-1-1994 and concluded that the exceptions and alternatives continue to meet Appendix B requirements and therefore, are acceptable.

Based on the above, SNC's proposed definition for qualified engineers is consistent with that previously determined by the NRC to provide an acceptable basis for meeting the quality assurance requirements of 10 CFR 50, Appendix B. Accordingly, SNC requests NRC approval of the use of qualified engineers as described in Section 2.4 of the proposed SNC QATR.

2. Changes to Documents

During the telephone conference, the NRC staff requested clarification regarding the attributes for "designated organizations" described in QATR Section 6.1 regarding changes to documents.

The language incorporated in Section 6.1 of the proposed SNC QATR is based on NQA-1-1994, Supplement 6S-1, Section 3.1, which states:

Changes to documents, other than those defined as minor changes in para. 3.2 below, are considered as major changes and shall be reviewed and approved by the same organizations that performed the original review and approval unless other organizations are specifically designated.

NQA-1-1994, Supplement 6S-1, Section 3.1, provides additional requirements for the reviewing organization as follows:

The reviewing organization shall have access to pertinent background data or information upon which to base their approval.

Based on discussions during the SNC conference call with the NRC staff, it was determined that SNC's proposed commitment to NQA-1-1994, Section 6 and Supplement 6S-1, adequately addressed the NRC concern regarding changes to documents and the attributes for a "designated organization." Accordingly, no further action is required to address this matter.

3. Relocation of Regulatory Guide 4.15 Commitment

The NRC noted that the Farley Nuclear Plant (Farley) Quality Assurance Program described in Section 17.2 of the updated Final Safety Analysis Report (FSAR) included a commitment to Regulatory Guide 4.15, Quality Assurance for Radiological Monitoring Programs (Normal Operations) – Effluent Streams and the Environment. The NRC noted that Enclosure 3, Page 10, of SNC's April 30, 2007, RAI response indicated that the commitment was relocated to Chapter 11 of the Farley FSAR. However, SNC did not include markups of Chapter 11 of the Farley FSAR reflecting relocation of the commitment to Regulatory Guide 4.15.

Farley conformance to Regulatory Guide 4.15 is required by Technical Specification 5.4.1.b. Accordingly, this requirement is captured in the Technical Specifications and cannot be modified without prior NRC approval. Based on the above, SNC has modified Enclosure 3, Page 10, of its April 30, 2007, response to the NRC RAI. Specifically, Enclosure 3, Page 10, has been modified to remove relocation of this commitment from Farley FSAR Section 17.2.5.1 to FSAR Chapter 11 as the basis for acceptability and replaced it with a reference to

Technical Specification 5.4.1.b. The replacement page for Enclosure 3, Page 10 is provided in Enclosure 2 of this letter.

4. Enclosure 3, Page 14, Farley FSAR Section 17.2.10(2)

The NRC staff noted that Enclosure 3, Page 14, of SNC's April 30, 2007, RAI response identified differences between NQA-1-1994 and the documentation requirements of inspection activities described in Farley FSAR Section 17.2.10(2). These differences included the following:

- Identification of any instruments or special equipment used to conduct the inspection; and
- Acceptance and rejection criteria.

SNC has reviewed the guidance provided in NQA-1-1994, Basic Requirements 10, 11, and 12, along with Supplements 10S-1, 11S-1, and 12S-1. SNC recognizes that documentation of "acceptance and rejection criteria" is required by Supplement 10S-1, Paragraph 5.1. Accordingly, Enclosure 3, Page 14, of SNC's April 30, 2007, response to NRC request for additional information has been modified to eliminate "acceptance and rejection criteria" from the "Differences" column for FSAR Paragraph 17.2.10(2).

Recording information regarding the instrumentation or special equipment used for inspections is required by SNC procedures and is necessary to implement NQA-1-1994, Basic Requirement 12, and Supplement 12S-1, to which SNC has proposed a commitment to in Section 12.1 of the QATR. Specifically, Supplement 12S-1, Paragraph 3.2, requires, "When measuring and test equipment is found to be out of calibration, an evaluation shall be made and documented of the validity of previous inspection or test result and of the acceptability of items previously inspected or tested." In order to implement the requirements of Supplement 12S-1, Paragraph 3.2, licensees must maintain records of test equipment use with a cross-reference to the equipment tested.

Based on the above, SNC has determined that incorporation of the requirement for identification of any instruments or special equipment used to conduct the inspection into the QATR is unnecessary in that the same information is required to be documented for conformance with NQA-1-1994, Basic Requirement 12, and Supplement 12S-1, to which SNC has committed. Enclosure 3, Page 14, of SNC's April 30, 2007, RAI response has been modified accordingly and is provided in Enclosure 2 of this letter.

Further, SNC has modified the column labeled "R/N/I" for Farley FSAR Paragraph 17.2.10(2) in Enclosure 3, Page 14, of its April 30, 2007, RAI response to reflect that exclusion of these items from the SNC QATR does not represent a reduction in commitments. The corresponding "Basis for Acceptability" has been modified to provide a basis for this determination.

Enclosure 2
Southern Nuclear Operating Company
Quality Assurance Topical Report

SNC Letter NL 07-0835, dated April 30, 2007 – Changed Pages

Section 1
Joseph M. Farley Nuclear Plant

Current QA Program Description Section/ (paragraph)	QATR Section (paragraph)	Differences	R/N/I (Note 1)	Basis for Acceptability
				specified paragraph of the current QA program description
17.2.5 (3)	Part II, Sections 5	Note 2	N	
17.2.5 (4)	Part II, Section 18	Note 2	N	
17.2.5.1	Part II, Section 5; Appendix E	Note 2	N	Conformance with Regulatory Guide 4.15 is required by Farley Technical Specification 5.4.1.b and cannot be modified without prior NRC approval.
17.2.5.2	Appendix A; Part II, Section 6.1		N	
17.2.6 (1)	Intentionally not included		N	Not a commitment – Historical
17.2.6 (2)	Part II, Section 5		N	
17.2.6 (3)	Intentionally not included	Note 2	N	
17.2.6 (4)	Part II, Section 18	Note 2	N	
17.2.7 (1)	Part II, Sections 1.2.1.1.3.1, 4, and 7	Note 2	N	The proposed QATR includes a commitment to NQA-1-1994, including Supplement 4S-1. The existing FSAR describes the organizational responsibilities of Supply Chain which is addressed in QATR Part II, Section 1.2.1.1.3.1. These requirements are equivalent to those contained in the specified paragraph of the

Section 1
Joseph M. Farley Nuclear Plant

Current QA Program Description Section/ (paragraph)	QATR Section (paragraph)	Differences	R/N/I (Note 1)	Basis for Acceptability
				requirements that are equivalent to those contained in the specified paragraph of the current QA program description.
17.2.9 (3)	Part II, Section 18	Note 2	N	
17.2.10 (1)	Part II, Section 10	Note 2	N	The proposed QATR includes a commitment to NQA-1-1994, including Supplement 10S-1. These requirements, in conjunction with QATR Part II, Section 10, provide requirements that are equivalent to those contained in the specified paragraph of the current QA program description.
17.2.10 (2)	NQA-1-1994, Supplement 10S-1 Paragraph 9	The items listed in the FSAR to be documented for each inspection is generally the same as that contained in NQA-1-1994, Supplement 10S-1; however, the record requirements of NQA-1-1994 does not explicitly include "identification of any instruments or special equipment used."	N	NQA-1-1994, Supplement 12-1, to which SNC has committed, requires that an evaluation be made and documented of the validity of previous inspections or test results when measuring equipment is found to be out of calibration. Conformance with this requirement dictates that records be retained identifying any instruments or special equipment used. Accordingly, "identification of any instrument or special equipment used" need not be explicitly stated in the QATR.
17.2.10 (3)	Part II, Section 10.1	Note 2	N	The proposed QATR includes a commitment to NQA-1-1994, including 10S-1. Paragraphs 3.2 and 5.1 of Supplement