

J. A. "Buzz" Miller
Senior Vice President
Nuclear Development

**Southern Nuclear
Operating Company, Inc.**
42 Inverness Center Parkway
Post Office Box 1295
Birmingham, Alabama 35201
Tel 205.992.5754
Fax 205.992.6165



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Docket Nos.: 52-025
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ND-08-1822

U.S. Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555-0001

Southern Nuclear Operating Company
Vogtle Electric Generating Plant Units 3 and 4 Combined License Application
Response to Request for Additional Information Letter No. 014

Ladies and Gentlemen:

By letter dated March 28, 2008, Southern Nuclear Operating Company (SNC) submitted an application for combined licenses (COLs) for proposed Vogtle Electric Generating Plant (VEGP) Units 3 and 4 to the U.S. Nuclear Regulatory Commission (NRC) for two Westinghouse AP1000 reactor plants, in accordance with 10 CFR Part 52. During the detailed review of this application, the NRC identified a need for additional information, involving the project's quality assurance program description, required to complete their review of the COL application's Final Safety Analysis Report (FSAR) Section 17.5, "Quality Assurance Program Description - New License Applicants." By letter dated November 25, 2008, the NRC provided SNC with Request for Additional Information (RAI) Letter No. 014 concerning this quality assurance program description information need. This RAI letter contains eight RAI questions numbered 17.5-1 through 17.5-8. The enclosure to this letter provides the SNC response to these RAIs.

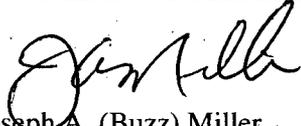
If you have any questions regarding this letter, please contact Mr. Wes Sparkman at (205) 992-5061.

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NRO

Mr. J. A. (Buzz) Miller states he is a Senior Vice President of Southern Nuclear Operating Company, is authorized to execute this oath on behalf of Southern Nuclear Operating Company and to the best of his knowledge and belief, the facts set forth in this letter are true.

Respectfully submitted,

SOUTHERN NUCLEAR OPERATING COMPANY



Joseph A. (Buzz) Miller

Sworn to and subscribed before me this 17 day of December, 2008

Notary Public: Alan H. Bjie

My commission expires: 05/06/09

JAM/BJS/lac

Enclosure: Response to NRC RAI Letter No. 014 on the VEGP Units 3 & 4 COL Application Involving Quality Assurance Program Description

cc: Southern Nuclear Operating Company

Mr. J. H. Miller, III, President and CEO (w/o enclosure)
Mr. J. T. Gasser, Executive Vice President, Nuclear Operations (w/o enclosure)
Mr. T. E. Tynan, Vice President - Vogtle (w/o enclosure)
Mr. D. M. Lloyd, Vogtle Deployment Director
Mr. C. R. Pierce, Vogtle Development Licensing Manager
Mr. M. J. Ajluni, Nuclear Licensing Manager
Mr. J. M. Giddens, Jr., QA Project Manager
Mr. W. A. Sparkman, COL Project Engineer
Document Services RTYPE: AR01.1053
File AR.01.02.06

Nuclear Regulatory Commission

Mr. L. A. Reyes, Region II Administrator (w/o enclosure)
Mr. M. R. Johnson, Director of Office of New Reactors (w/o enclosure)
Mr. D. B. Matthews, Director of Division of New Reactor Licensing (w/o enclosure)
Ms. S. M. Coffin, AP1000 Manager of New Reactors (w/o enclosure)
Mr. C. J. Araguas, Lead Project Manager of New Reactors
Mr. B. Hughes, Project Manager of New Reactors
Mr. R. G. Joshi, Project Manager of New Reactors
Ms. T. E. Simms, Project Manager of New Reactors
Mr. B. C. Anderson, Project Manager of New Reactors
Mr. M. M. Comar, Project Manager of New Reactors
Mr. S. C. Flanders, Director of Site and Environmental Reviews
Mr. W.F. Burton, Chief – Environmental Technical Support
Mr. M. D. Notich, Environmental Project Manager
Mr. J. H. Fringer, III, Environmental Project Manager
Mr. G. J. McCoy, Senior Resident Inspector of VEGP

Georgia Power Company

Mr. O. C. Harper, IV, Vice President, Resource Planning and Nuclear Development (w/o enclosure)

Oglethorpe Power Corporation

Mr. M. W. Price, Chief Operating Officer (w/o enclosure)

Municipal Electric Authority of Georgia

Mr. C. B. Manning, Jr., Senior Vice President, Participant and Corporate Affairs (w/o enclosure)

Dalton Utilities

Mr. D. Cope, President and Chief Executive Officer (w/o enclosure)

Bechtel Power Corporation

Mr. J. S. Prebula, Project Engineer (w/o enclosure)
Mr. R. W. Prunty, Licensing Engineer

Tetra Tech NUS, Inc.

Ms. K. K. Patterson, Project Manager

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Shaw Stone & Webster, Inc.

Mr. K. B. Allison, Project Manager (w/o enclosure)
Mr. J. M. Oddo, Licensing Manager

Westinghouse Electric Company, LLC

Mr. N. C. Boyter, Vice President, AP1000 Vogtle 3 & 4 Project (w/o enclosure)
Mr. J. L. Whiteman, Principal Engineer, Licensing & Customer Interface

Southern Nuclear Operating Company

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Enclosure

**Response to NRC RAI Letter No. 014
on the VEGP Units 3 & 4 COL Application
Involving
Quality Assurance Program Description**

FSAR Section 17.5, Quality Assurance Program Description – New License Applicants

eRAI Tracking No. 1486

NRC RAI Number 17.5-1:

Post-Docketing Activities Within the Scope of the QAPD (FSAR Section 17.1)

FSAR Section 17.1 addresses design, procurement, and construction activities to be conducted subsequent to submittal of the application. In order for the NRC staff to plan its inspections of these activities, please clarify the expected scope, locations, and schedules for activities subject to the provisions of the QAPD that are to be conducted by the applicant and its contractors from the date of the docketing until the expected date of issuance for a COL.

SNC Response:

SNC believes that this question is not related to responses needed to prepare a Safety Evaluation Report on the VEGP Combined License Application and thus should not be used in that regard. Nevertheless, SNC has been and continues to be sensitive to NRC needs in this area to understand our near-term activities. Thus, SNC's intent is to be as responsive as possible to this request.

Design, procurement and construction activities associated with VEGP Units 3 and 4 are being and will continue to be conducted in accordance with the QAPD submitted as the quality assurance program description - COLA Part 11 of the application as stated in FSAR Chapter 17.5.

Much of the scope of this request is considered proprietary to Westinghouse and Shaw Nuclear. Knowing that, to begin addressing this need, SNC met with NRC Region II and NRR in a closed meeting in Atlanta, Ga. on August 19, 2008. In that meeting, SNC provided the near-term scope, locations, and schedules for engineering, procurement and construction activities subject to the provisions of the QAPD. Such areas as module fabrication and assembly were also discussed. An agreement was reached that SNC would arrange closed meetings on about a quarterly basis to provide ongoing details of our program until a detailed schedule can be developed and a more formal process can be established. SNC has since had one phone call providing an update to this information. Unless the NRC requests more frequent updates or another process, SNC plans to continue using these updates to provide this information on a quarterly basis for the near-term. Also, as directed by the NRC, SNC plans to contact NRC Region II with any more significant information between updates.

Consistent with those interactions, there are targeted ITAAC activities being conducted in the first quarter of 2009 on components that SNC would anticipate to be VEGP Units 3 and 4 components if a certification of the project is obtained from the Georgia Public Service Commission. Procurement activities for major safety-related components that could potentially be used on VEGP Units 3 and 4 have occurred and will also be continuing into the first quarter. In addition, generic type testing of specific safety-related components are moving forward in this time frame. These quarterly meetings will continue to provide scope, location, and schedule updates on these activities as the information is available.

At this time, SNC anticipates that a sufficiently detailed construction plan will be developed by mid-2009 that would allow a more formal process to be established. This would also provide schedules that the NRC could use in their planning through the expected deliverance of the COLs and beyond. SNC currently plans to begin meeting with the NRC in this time frame to fully develop this new process for VEGP Units 3 and 4.

NRC RAI Number 17.5-2:

NEI 06-14 Commitments (Revision 5)

NEI 06-14A, Revision 5 is currently being reviewed by the NRC staff. By letter dated September 17, 2008, the staff requested additional information concerning the draft NEI report. The applicant should describe plans for revising the submitted QAPD to incorporate changes to the NEI document, particularly with regard to QAPD Part II, Section 7.2, which addresses commercial calibration services and the applicability of Regulatory Issue Summary 2002-22 to commercial grade items.

SNC Response:

SNC has been involved in the revision to NEI 06-14A, including the submittal of NEI 06-14, Revision 6 on November 14, 2008. Conforming changes to the SNC QAPD will be made consistent with NEI 06-14 after the revision has been formally approved by the NRC.

NRC RAI Number 17.5-3:

Safety-Related Design Basis Activities (QAPD Part II, Section 2.3)

NEI 06-14A, Section 2.3, states that the COL application will be annotated to identify site-specific design basis activities. This section was omitted from the QAPD. The applicant should identify the site-specific design basis activities, consistent with the guidance in NEI 06-14A, or justify its omission.

SNC Response:

SNC has been involved in the revision to NEI 06-14A, including the submittal of NEI 06-14, Revision 6 on November 14, 2008, which deleted the requirement for the annotation of the COL application for site-specific design basis activities. Conforming changes to the SNC QAPD will be made consistent with NEI 06-14 after the revision has been formally approved by the NRC. The requirement for the annotation of the COL application for site-specific design basis activities will be removed.

NRC RAI Number 17.5-4:

Scope of the Quality Assurance Program (FSAR Section 17.5 and QAPD Part I)

FSAR Section 17.5 of the application states that the quality assurance program in place during the design, construction, and operations phases is described in the QAPD, which is maintained as a separate document. However, the QAPD (Part I), submitted as an enclosure with the application, states that it establishes the quality assurance policy for Nuclear Development activities; the QA manual also states that it applies to activities until turnover to Operations. The NRC staff is reviewing the application for the purpose of issuing a combined construction and operating license under the 10 CFR Part 52 regulations. Please explain how these statements are consistent with the COL application.

SNC Response:

The SNC QAPD has been submitted to the NRC for the purpose of issuing a combined license. The QAPD is applicable during the design, construction, and operations phases for VEGP Units 3 and 4. The statement currently in the QAPD is representative of the fact that the current quality assurance program for the SNC Fleet Operations organization is not this QAPD but rather a NRC-approved Quality Assurance Topical Report (QATR). It is SNC's intent that the QAPD under review will be the quality assurance program in place for VEGP Units 3 and 4 when the respective units achieve full-power operation. Any revision to the quality assurance program in place at that time, whether in whole or in part, will follow the regulatory process necessary for changes to a quality assurance program for an

operating unit. To alleviate any confusion, Section 1.1 of the QAPD will be revised to delete the statement, "The NDQAM applies to these activities until turnover to Operations."

NRC RAI Number 17.5-5:

Organization – QA During the Construction and Operations Phases

NEI 96-14A, Rev. 5 is currently being reviewed by the NRC staff. By letter of September 17, 2008, the staff requested additional information concerning this revision. The letter requests, in part, additional detail for Part II, Section 1, Organization, of the NEI document for positions implementing QA program requirements. This information should cover the quality assurance organizations for construction, and operation, and the transition between these phases. The applicant should describe plans for revising the submitted QAPD to incorporate changes consistent with the requested changes to the NEI document.

SNC Response:

SNC has been involved in the revision to NEI 06-14A, including the submittal of NEI 06-14, Revision 6 on November 14, 2008. Conforming changes to the SNC QAPD will be made consistent with NEI 06-14 after the revision has been formally approved by the NRC.

NRC RAI Number 17.5-6:

Safety Related SSCs (QAPD Part II, Section 2)

QAPD Part II, Section 2, states that the QAPD applies to those quality-related activities that involve the functions of safety-related activities of structures, systems, and components (SSCs) as described in the COL FSAR. Appendix B to 10 CFR Part 50 requires, in part, that Part 52 applicants include in the FSAR a description of the quality assurance [program] applied to the design, and to be applied to the fabrication, construction, and testing of the SSCs of the facility and to the managerial and administrative controls to be used to assure safe operations. Please revise the language in this section to conform to this requirement. Also, Section 2 of the QAPD indicates that safety-related SSCs are described in the FSAR. Please identify the corresponding FSAR section(s) or clarify the purpose of this text and/or modify it accordingly.

SNC Response:

SNC has been involved in the revision to NEI 06-14A, including the submittal of NEI 06-14, Revision 6 on November 14, 2008. Conforming changes to the SNC QAPD will be made consistent with NEI 06-14 after the revision has been formally approved by the NRC. The latest submittal of NEI 06-14 has removed the language which indicated that safety-related SSCs are described in the FSAR.

NRC RAI Number 17.5-7:

Inspections by Line Personnel (QAPD Part III, Section 1.10)

NEI 06-14A Part III describes QA program controls for SSCs that are significant contributors to plant safety, but are not "safety-related," as defined by §50.2. QAPD Part III, Section 1.10 states that inspections may be performed by personnel in the line organization through the SNC independent verification process/simultaneous verification process, or similar process that utilizes knowledgeable personnel to perform the verification function. Please provide additional description for 'SNC simultaneous and similar processes' and also qualifications for personnel performing these inspections.

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SNC Response:

SNC has been involved in the revision to NEI 06-14A, including the submittal of NEI 06-14, Revision 6 on November 14, 2008. Conforming changes to the SNC QAPD will be made consistent with NEI 06-14 after the revision has been formally approved by the NRC. Consistent with NEI 06-14A, the reference to 'SNC simultaneous and similar processes' will be deleted when making these conforming changes.

NRC RAI Number 17.5-8:

Regulatory Guide 1.28

RG 1.28, Rev. 3, "Quality Assurance Program Requirements (Design and Construction)" describes a method acceptable to the NRC staff for complying with the provisions of Appendix B to 10 CFR Part 50 with regard to establishing and implementing the requisite program for the design and construction phase of nuclear power plants. Please describe how your current QAPD satisfies the regulatory position established in RG 1.28, Section C.

SNC Response:

The QAPD provided in Part 11 of the COLA is being used by SNC staff for the design and construction phase and will be used for the operations phase. The QAPD incorporates standard text from NEI 06-14A which was approved by the NRC via SER dated April 25, 2007. The QAPD follows the SRP Section 17.5 and the NRC concluded in the SER that "On the basis of its review, the staff concludes that the QAPD template provides adequate guidance for establishing a quality assurance program that complies with Appendix B to 10 CFR Part 50 by using ASME NQA standard NQA-1-1994, as supplemented by additional regulatory guidance and industry guidance."

A previous version of the QAPD included a reference to RG 1.28, Rev. 3 and made an exception based on the fact that SNC is using ASME NQA-1-1994 rather than ANSI/ASME NQA-1-1983 and the ANSI/ASME NQA-1a-1983 Addenda. That reference was removed in the QAPD (Version 6.0 dated November 30, 2007) when a review of conformance with NEI-06-14A was performed.