

## PMVogtleCOLPEm Resource

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**From:** Brian Anderson  
**Sent:** Friday, May 29, 2009 10:50 AM  
**To:** PMVogtleCOLPEm Resource  
**Cc:** Ravindra Joshi  
**Subject:** Conference Call Summary - May 28, 2009 - Southern Nuclear Vogtle Units 3 and 4 COLA - RAI # 2863 - Draft RAI related to SRP Section 13.3

**Importance:** High

MEMORANDUM TO: File (Docket Numbers 52-025, 52-026, Vogtle Units 3 and 4 COLA)

**FROM:** Brian Anderson  
Office of New Reactors, Division of New Reactor Licensing  
Project Manager, AP1000 Projects Branch 1

**SUBJECT:** Summary of Conference Call with Applicant on May 28, 2009

On May 28, 2009, NRC staff participated in a telephone conference call with Southern Nuclear Company (SNC) representatives (see list below) regarding the staff's detailed review of the Vogtle Units 3 and 4 COLA. The purpose of the call was to discuss draft RAI (electronic-RAI (e-RAI) ID # 2863) related to the Vogtle Units 3 and 4 COLA emergency plan. Following review by Office of General Counsel, SNC was provided a draft copy of e-RAI # 2863 via e-mail on May 20, 2009.

The conference call discussion focused on various aspects of the Vogtle Units 3 and 4 COLA emergency plan, the submission of an emergency action levels (EALs) scheme, and the resolution of Vogtle ESP permit conditions. During the conference call, the applicant indicated that responses to both draft RAI questions were located in the recently submitted revision 1 of the Vogtle COLA. Following the conference call, NRC staff confirmed that the requested information had been provided in revision 1 of the Vogtle COLA. As a result, the RAI questions in draft e-RAI 2863 are not needed, and will not be issued in a final RAI letter.

*e-RAI 2863 draft question RAI 13.3-1 stated -*

*"[Basis: 10 CFR 52.79(a)(21), 10 CFR 50.47(b)(4), Section IV.B of Appendix E to 10 CFR Part 50] In NRC Request for Additional Information Letter No. 029 (March 6, 2009), RAI 13.03-3 addressed submission of an emergency action level (EAL) scheme in support of the COL application. In its April 3, 2009, response, the applicant proposed a license condition that included a requirement for the EALs to be discussed and agreed upon with State and local officials; which is inconsistent with Option 2 Critical Element 3 of RAI 13.03-3. The inclusion of a reference to a discussion and agreement with State and local governmental authorities – regarding EALs – in Permit Conditions 6 and 7 reflects the regulatory requirement in Section IV.B, "Assessment Actions," of Appendix E to 10 CFR Part 50. While this requirement must be met, it does not mean that it should be included in a license condition as part of Option 2. Provide a proposed license condition that comports with Option 2 Critical Element 3."*

In revision 1 of the Vogtle COLA, license condition 4 of part 10 proposes the EAL scheme requested in a previous NRC RAI. The reference to state and local officials has been removed.

*e-RAI 2863 draft question RAI 13.3-2 stated -*

*"[Basis: 10 CFR 52.79(a)(21), 10 CFR 50.47(b)(4), 10 CFR 50.47(b)(8), Sections IV.B and IV.E of Appendix E to 10 CFR Part 50]*

*In NRC Request for Additional Information Letter No. 029 (March 6, 2009), RAI 13.03-4 requested (in part) that the applicant describe the resolution of VEGP ESP permit conditions, and provide any necessary revisions to the COL application. In its April 3, 2009, response, the applicant replaced the ESP action items with ESP permit conditions, and provided various changes that will be made in a future revision to the VEGP Units 3 and 4 COL application.*

*The staff reviewed the proposed changes, and found that additional changes were needed to Part 2 FSAR Section 1.8, Table 1.8-203, and VEGP SUP 1.8-3 to address the references to ESP COL Action Items 13.3-1, 13.3-2, and 13.3-3. Provide the revised Section 1.8, Table 1.8-203, and VEGP SUP 1.8-3 (including any additional required changes) that reflect the ESP permit conditions rather than the ESP COL action items."*

In revision 1 of the Vogtle COLA, FSAR section 13.3.8 provides a summary of the transfer of ESP permit conditions to COL action items. In addition, FSAR section 1.8, table 1.8-204 replaces table 1.8-203 for all emergency planning related items.

Following the conference call, the NRC staff informed SNC that the draft questions for e-RAI 2863 (above) would not be issued in a final RAI letter.

The NRC attendees were:

Brian Anderson  
Bruce Musico

SNC attendees were:

Amy Aughtman  
Walt Lee  
Ted Amundson

**Hearing Identifier:** Vogtle\_COL\_Public  
**Email Number:** 66

**Mail Envelope Properties** (CB87FC66F95637428C5E0D066E756B6FC0002FA6B8)

**Subject:** Conference Call Summary - May 28, 2009 - Southern Nuclear Vogtle Units 3 and 4 COLA - RAI # 2863 - Draft RAI related to SRP Section 13.3  
**Sent Date:** 5/29/2009 10:49:36 AM  
**Received Date:** 5/29/2009 10:49:38 AM  
**From:** Brian Anderson

**Created By:** Brian.Anderson@nrc.gov

**Recipients:**  
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Tracking Status: None  
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Tracking Status: None

**Post Office:** HQCLSTR01.nrc.gov

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	4421	5/29/2009 10:49:38 AM

**Options**  
**Priority:** High  
**Return Notification:** No  
**Reply Requested:** No  
**Sensitivity:** Normal  
**Expiration Date:**  
**Recipients Received:**