



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001
October 19, 2009

Mr. Mark J. Ajluni
Manager, Nuclear Licensing
Southern Nuclear Operating Company, Inc.
40 Inverness Center Parkway
P.O. Box 1295
Birmingham, Alabama 35201

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2 –
SUPPLEMENTAL INFORMATION NEEDED FOR ACCEPTANCE OF
REQUESTED LICENSING ACTION RE: RELIEF REQUEST VEGP-ISI-ALT-04
(TAC NOS. ME2226 AND ME2227)

Dear Mr. Ajluni:

By letter dated September 9, 2009, Southern Nuclear Operating Company, Inc. (SNC, the licensee), submitted a relief request (RR) for Vogtle Electric Generating Plant, Units 1 and 2. The proposed RR would align the Unit 1 and Unit 2 Class CC testing schedules. The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this RR. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Pursuant to Sections 50.55a(a)(3)(i) and 50.55a(a)(3)(ii) of Title 10 of the *Code of Federal Regulations* (10 CFR), the applicant shall demonstrate that the proposed alternatives would provide an acceptable level of quality and safety, or that compliance with the specified requirements of Section 50.55a would result in hardship or unusual difficulty without a compensating increase in the level of quality or safety.

The NRC staff has reviewed your application and concluded that the information delineated in the enclosure to this letter is necessary to enable the NRC staff to make an independent assessment regarding the acceptability of the proposed RR in terms of regulatory requirements and the protection of public health and safety and the environment.

In order to make the application complete, the NRC staff requests that SNC supplement the application to address the information requested in the enclosure by October 26, 2009. This will enable the NRC staff to begin its detailed technical review. If the information responsive to the NRC staff's request is not received by the above date, the application will not be accepted for review pursuant to 10 CFR 2.101, and the NRC will cease its review activities associated with the application. If the application is subsequently accepted for review, you will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

M. Ajluni

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The information requested and associated time frame in this letter were discussed with Tom Hess and Jack Stringfellow of your staff on October 9, 2009.

If you have any questions, please contact me at (301) 415-1864.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna N. Wright". The signature is fluid and cursive, with a large initial "D" and "W".

Donna N. Wright, Project Manager
Plant Licensing Branch II-i
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-424 and 50-425

Enclosure:
Supplemental Information Needed

cc w/encl: Distribution via Listserv

SUPPLEMENTAL INFORMATION NEEDED
RELIEF REQUEST VEGP-ISI-ALT-04
SOUTHERN NUCLEAR OPERATING COMPANY INC.,
VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2
DOCKET NOS. 50-424 AND 50-425

Background

By letter dated April 23, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML091140341), Southern Nuclear Operating Company, Inc. (SNC, the licensee), submitted relief request (RR) VEGP-ISI-RR-02, which requests relief from performing strand testing on Vogtle Unit 2 containment tendons, applicable for the 3rd inservice inspection (ISI) interval. By letter dated July 29, 2009 (ADAMS Accession No. ML092040022), the U.S. Nuclear Regulatory Commission (NRC) staff requested additional information (RAI). It was also discovered by the NRC staff that the licensee needed an additional submittal to address the alignment of the Units 1 and 2 Class CC testing schedules for the 3rd ISI interval.

By letter dated September 9, 2009 (ADAMS Accession No. ML092520157), the licensee submitted a response to the NRC staff's RAI. Enclosure 3 of the submittal contained VEGP-ISI-ALT-04, Version 1.0, "Proposed Alternative in Accordance with 10 CFR 50.55a(a)(3)(i)," requesting approval to align the Unit 1 and Unit 2 Class CC testing schedule.

1. Incorrect code provisions from which relief is sought and inconsistency in proposed alternative schedule

Enclosure 3 of the letter dated September 9, 2009, contains RR VEGP-ISI-ALT-04 that requests approval to align Unit 1 and Unit 2 Class CC Containment ISI examination schedules per IWL for the concrete and post-tensioning system on the basis that the proposed alternative provides an acceptable level of quality and safety pursuant to Title 10 of the *Code of Federal Regulations*, Section 50.55a(a)(3)(i).

The licensee has stated in the request that the applicable code requirements from which relief is sought are IWL-2410(a) and IWL-2420(a). The licensee is, in fact, seeking an alternate ISI schedule from that required by IWL-2410(a) for Concrete and from IWL-2421(b) for the Unbonded Post-Tensioning System for its Class CC Containments for Unit 1 and Unit 2. Further, the examination requirements for these components are specified in Table IWL-2500-1 as Examination Category L-A, Concrete (with Item No. L1.10 consisting of sub-items L1.11 and L1.12) and Examination Category L-B, Unbonded Post-tensioning System (with Item

Enclosure

Nos. L2.10, L2.20, L2.30, L2.40 and L2.50). However, Table 1 of the licensee's RR provides a vague description of components examined and does not clearly provide the proposed alternative examination schedule with reference to the examination categories and Item Nos. in Table IWL-2500-1. The NRC staff notes that the proposed IWL examination schedule indicated in Table 1 of the RR suggests that examinations under Category L-A, Concrete, will be performed on a 10-year frequency. This results in a reduced frequency of examination of concrete from the 5-year frequency required by the ASME Code, which is not acceptable to the NRC staff, and is inconsistent with the schedule description in the "Proposed Alternative and Basis for Use" section of the RR.

In the relief request, the licensee should: (i) clearly state the correct code provisions from which relief is being sought; (ii) clearly state the proposed alternative schedule with reference to the examination categories and item numbers in Table IWL-2500-1; and (iii) provide consistent proposed alternative schedules in the description and in Table 1.

2. Insufficient technical information as to why the proposed alternative schedule provides an acceptable level of quality and safety

In the basis for use section of the RR, the licensee has not provided a direct technical justification as to why its proposed alternative schedule for performing examinations of concrete and post-tensioning system provides an acceptable level of quality and safety. Instead, the licensee makes passing reference to previous license amendments and previous versions of technical specifications which are not part of the current licensing basis for Vogtle, which were not implemented, and which the NRC staff finds difficult to track. Further, the proposed IWL examination schedule indicated in Table 1 of the RR suggests that examinations under Category L-A, Concrete, will be performed on a reduced 10-year frequency rather than the 5-year frequency required by the ASME code. The licensee has not provided any technical justification as to why this reduced frequency provides an acceptable level of quality and safety and why the frequency is being changed when the intent of the RR is to align the schedule of IWL examinations for the two units.

The licensee is requested to provide a direct technical justification as to why the proposed alternative schedule provides an acceptable level of quality and safety with reference to ASME Code requirements in its current licensing basis.

M. Ajluni

- 2 -

The information requested and associated time frame in this letter were discussed with Tom Hess and Jack Stringfellow of your staff on October 9, 2009.

If you have any questions, please contact me at (301) 415-1864.

Sincerely,

/RA/

Donna N. Wright, Project Manager
Plant Licensing Branch II-i
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-424 and 50-425

Enclosure:
Supplemental Information Needed

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*via email dated

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