

Southern Nuclear  
Operating Company, Inc.  
1000 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
800.451.5000  
www.southerncompany.com

November 19, 2009



*Energy to Serve Your World*  
NL-09-1839

Docket Nos.: 50-424  
50-425

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

Vogtle Electric Generating Plant  
Generic Letter 2004-02 Closeout Status

Ladies and Gentlemen:

By letter dated November 7, 2008, Southern Nuclear Operating Company (SNC) submitted an extension request for completion of chemical effects testing and closeout activities for Generic letter 2004-02 as a result of NRC's concern that SNC's reliance on the VUEZ testing performed would not provide an adequate technical basis to resolve GL 2004-02 for Vogtle Electric Generating Plant (VEGP). It was also noted in this letter that the Requests for Additional Information (RAIs) issued by the staff on September 17, 2009 were from a partial review of our responses to GL 2004-02 and did not represent a comprehensive set of RAIs. In the November 7, 2008 letter, SNC submitted milestone dates supporting a closeout of GSI-191 and a final response to the staff by November 20, 2009. The commitment to provide a final response by November 20, 2009 was predicated on 1) a reasonable submittal of the test-for-success protocol by SNC and review/comment cycle by your staff and 2) resolution of any issues associated with the next revision of WCAP-16793 (In-Vessel Effects).

Subsequent to this extension request, the staff issued a RAI on December 2, 2008. Of the 29 RAIs, SNC has discussed 26 satisfactorily with the staff during public telecons between SNC and the staff on August 13, 2009 and October 13, 2009 and is in the process of finalizing the responses. The remaining 3 RAIs, Nukon Zone-of-Influence (ZOI) and fibrous insulation erosion are generic issues that impact high-fiber insulation plants, and in-vessel downstream effects that impact all PWRs. During the telecon between SNC and the staff on October 13, 2009, the above generic issues were discussed as to how the outcome of the 3 issues would impact the 26 RAIs for VEGP. It was agreed to by the staff in this telecon that a written response to the resolved RAIs is not required by November 20, 2009. SNC understands that there are on-going discussions between the industry and the staff on these issues and that a meeting is scheduled during the week of December 14, 2009 to discuss the status of the resolution to these issues.

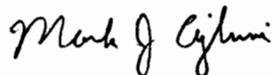
As such, a new schedule for completion of GSI-191 activities for VEGP is contingent upon resolution of the generic issues and the impact to the remaining 26 RAs for VEGP. SNC will stay engaged with the staff on the resolution status and will develop a new schedule accordingly. The deterministic justifications for continued operation stated in the November 7, 2008 remain valid and in place for VEGP.

Mr. M. J. Ajluni states he is Nuclear Licensing Manager 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.

This letter contains no NRC commitments. If you have any questions, please advise.

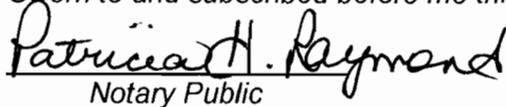
Respectfully submitted,

SOUTHERN NUCLEAR OPERATING COMPANY



M.J. Ajluni  
Manager, Licensing

Sworn to and subscribed before me this 19<sup>th</sup> day of November, 2009.



Notary Public

My commission expires: 7/2/2012

MJA/DWM/lac

Enclosures:

cc: Southern Nuclear Operating Company  
Mr. J. T. Gasser, Executive Vice President  
Mr. T. E. Tynan, Vice President – Vogtle  
Ms. P. M. Marino, Vice President – Engineering  
RType: CVC7000

U. S. Nuclear Regulatory Commission  
Mr. L. A. Reyes, Regional Administrator  
Ms. D. N. Wright, NRR Project Manager – Vogtle  
Mr. M. Cain, Senior Resident Inspector – Vogtle