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Docket Nos.: 52-025
52-026

ND-10-0006

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
Supplemental Information Addressing Bellefonte Units 3 and 4
Safety Evaluation Report Chapter 04, Confirmatory Item 4.4-1

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. As a result of the NRC's detailed review of the initial AP1000 Reference COL application (Bellefonte Units 3 and 4), the NRC has written a safety evaluation report (SER) with open items for the subject chapter. VEGP is providing additional information (related to confirmatory item 4.4-1 identified in the SER) as the new Reference COL applicant in the enclosure to this letter.

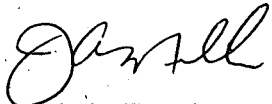
If you have any questions regarding this letter, please contact Mr. Wes Sparkman at (205) 992-5061 or Ms. Amy Aughtman at (205) 992-5805.

1092
MRO

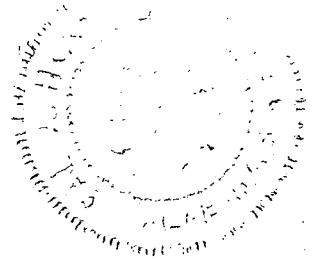
Mr. J. A. (Buzz) Miller states he is an Executive Vice President of Southern Nuclear Operating Company, is authorized to execute this oath on behalf of Southern Nuclear Operating Company and to the best of his knowledge and belief, the facts set forth in this letter are true.

Respectfully submitted,

SOUTHERN NUCLEAR OPERATING COMPANY



Joseph A. (Buzz) Miller



Sworn to and subscribed before me this 8th day of January, 2010

Notary Public: Gail A. Dicks

My commission expires: July 5, 2010

JAM/BJS/dmw

Enclosure: Response to R-COLA SER with Open Items, Chapter 04

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. D. H. Jones, Site Vice President, Vogtle 3 & 4 (w/o enclosure)
Mr. T. E. Tynan, Vice President - Vogtle (w/o enclosure)
Mr. D. M. Lloyd, Vogtle 3 & 4 Project Support Director (w/o enclosure)
Mr. M. K. Smith, Technical Support Director (w/o enclosure)
Mr. C. R. Pierce, AP1000 Licensing Manager
Mr. M. J. Ajluni, Nuclear Licensing Manager
Mr. J. D. Williams, Vogtle 3 & 4 Site Support Manager
Mr. J. T. Davis, Vogtle 3 & 4 Site Licensing 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
Mr. F.M. Akstulewicz, Deputy Director Div. of Safety Systems & Risk Assess. (w/o enclosure)
Mr. R. G. Joshi, Lead 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
Ms. S. Goetz, Project Manager of New Reactors
Mr. J. M. Sebrosky, Project Manager of New Reactors
Mr. D. C. Habib, Project Manager of New Reactors
Ms. D. L. McGovern, Project Manager of New Reactors
Ms. T. L. Spicher, Project Manager of New Reactors
Ms. M. A. Sutton, Environmental Project Manager
Mr. M. D. Notich, Environmental Project Manager
Mr. L. M. Cain, Senior Resident Inspector of VEGP

Georgia Power Company

Mr. O. C. Harper, IV, Vice President, Resource Planning and Nuclear Development

Oglethorpe Power Corporation

Mr. M. W. Price, Executive Vice President and Chief Operating Officer
Mr. K. T. Haynes, Director of Contracts and Regulatory Oversight

Municipal Electric Authority of Georgia

Mr. S. M. Jackson, Vice President, Power Supply

Dalton Utilities

Mr. D. Cope, President and Chief Executive Officer

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

Shaw Stone & Webster, Inc.

Mr. K. B. Allison, Project Manager (w/o enclosure)

Mr. J. M. Oddo, Licensing Manager

Mr. D. C. Shutt, Licensing Engineer

Westinghouse Electric Company, LLC

Mr. W. E. Cummins, Vice President of Regulatory Affairs & Standardization (w/o enclosure)

Mr. N. C. Boyter, Consortium Project Director Vogtle Units 3 & 4 (w/o enclosure)

Mr. S. A. Bradley, Vogtle Project Licensing Manager

Mr. R. B. Sisk, Manager, AP1000 Licensing and Customer Interface

Mr. J. L. Whiteman, Principal Engineer, Licensing & Customer Interface

Mr. D. A. Lindgren, Principal Engineer, AP1000 Licensing and Customer Interface

NuStart Energy

Mr. R. J. Grumbir

Mr. E. R. Grant

Mr. B. Hirmanpour

Mr. N. Haggerty

Ms. K. N. Slays

Other NuStart Energy Associates

Ms. M. C. Kray, NuStart

Mr. S. P. Frantz, Morgan Lewis

Mr. P. S. Hastings, NuStart & Duke Energy

Mr. J. A. Bailey, TVA

Ms. A. L. Sterdis, TVA

Mr. J. P. Berger, EDF

Mr. M. W. Gettler, FP&L

Mr. P. Hinnenkamp, Entergy

Mr. G. D. Miller, PG&N

Mr. M. C. Nolan, Duke Energy

Mr. N. T. Simms, Duke Energy

Mr. G. A. Zinke, NuStart & Entergy

Mr. R. H. Kitchen, PGN

Ms. A. M. Monroe, SCE&G

Mr. T. Beville, DOE/PM

Southern Nuclear Operating Company

ND-10-0006

Enclosure

Response to R-COLA SER with Open Items

Chapter 04

<u>Confirmatory Item</u>	<u>Response</u>
04.04-01	Standard - See enclosed

<u>Attachments / Enclosures</u>	<u>Pages Included</u>
None	

eRAI Tracking No. 3849

NuStart Qb Tracking No. 4023

NRC SER CI Number 04.04-01:

RG 1.133, Revision 1, describes a method acceptable to the NRC staff for implementing regulatory requirements with respect to detecting a potentially safety-related loose part in light-water-cooled reactors during normal operation. The AP1000 design includes a digital metal impact monitoring system, which is a non-safety related system provided for monitoring the reactor coolant system for metallic loose parts. AP1000 DCD Subsection 4.4.6.4 documents the conformance of this monitoring system to RG 1.133. BLN COL FSAR Appendix 1AA documents its conformance to the design aspects described in DCD Subsection 4.4.6.4, and also states it conforms to Regulatory Position C.3a, regarding manual mode of data acquisition for detection of loose parts and Regulatory Position C.6, regarding notification to NRC of confirmation of the presence of a loose part.

The NRC staff noted that RG 1.133, Revision 1, was not included in Revision 0 of FSAR Table 1.9-201 for a cross-reference to the appropriate FSAR section, although an evaluation of compliance with RG 1.133 is provided in Appendix 1AA. In response to Request for Additional Information (RAI) 1-7, the applicant added RG 1.133, Revision 1, to Table 1.9-201, as part of Revision 1 to the FSAR. In addition, the response to RAI 1-7 was supplemented by adding a conformance discussion for regulatory guide positions related to the procedures and training program (positions 4g, 4h, 4i and 4j) in the proposed revision to BLN FSAR Appendix 1AA, "A Conformance with Regulatory Guides." The proposed change to BLN FSAR is acceptable subject to a formal revision to BLN FSAR. Accordingly, this is **Confirmatory Item 4.4-1**. With the conformance of the programmatic and operational aspects of regulatory positions, the staff concludes that the applicant's loose parts detection program will conform to RG 1.133, Revision 1.

SNC Response:

The supplemental response to BLN-RAI-LTR-142 request for additional information (RAI) 01-11 provided a revision to the conformance statement in FSAR Appendix 1AA for Regulatory Guide 1.133, including an exception to Position C.6. However, following that letter, Regulatory Guide 1.16 (which is referenced in position C.6 of Regulatory Guide 1.133) was withdrawn by the NRC. Thus, COLA Part 2, FSAR Chapter 1, Appendix 1AA will be revised to include the exception due to the withdrawal of Regulatory Guide 1.16 and provide the reporting alternative to be used. The FSAR will be revised as shown in the COL Applications Revisions section below.

This response is expected to be STANDARD for the S-COLAs.

Associated VEGP COL Application Revisions:

COLA Part 2, FSAR Chapter 1, Appendix 1AA, Regulatory Guide 1.133, position C.6, will be revised to read:

C.6	Exception	Regulatory Guide 1.16 has been withdrawn. Event reporting is performed in accordance with 10 CFR 50.72 and 50.73 utilizing the guidance of NUREG-1022.
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ASSOCIATED ATTACHMENTS/ENCLOSURES:

None