

**Southern Nuclear
Operating Company, Inc.**
42 Inverness Center Parkway
Birmingham, Alabama 35242



APR 02 2010

Docket Nos.: 52-025
52-026

ND-10-0703

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 Bellefonte Units 3 and 4 Safety Evaluation Report Open Items for Chapter 3

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 addressed some of the open items in previous letters as indicated in the enclosure. VEGP is addressing an additional open item identified in the SER in the enclosure to this letter as the new Reference COL applicant. For completeness, each open item is identified but responses are provided only for the open items impacting standard information or otherwise resulting in standard changes for the AP1000 COL applications. The open items identified as plant specific will be addressed on the Bellefonte Units 3 and 4 docket by the Tennessee Valley Authority.

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.

DO92
NR0

Mr. C.R. Pierce states he is the AP1000 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.

Respectfully submitted,

SOUTHERN NUCLEAR OPERATING COMPANY

Charles R. Pierce

Charles R. Pierce

Sworn to and subscribed before me this 2nd day of April, 2010

Notary Public: Deborah A. Javorska

My commission expires: October 24, 2012

CRP/BJS/Imp

Enclosure: Response to R-COLA SER with Open Items, Chapter 3



cc: Southern Nuclear Operating Company

Mr. J. H. Miller, III, President and CEO (w/o enclosure)
Mr. J. A. Miller, Executive Vice President, Nuclear Development (w/o enclosure)
Mr. J. T. Gasser, Executive Vice President, Nuclear Operations (w/o enclosure)
Mr. B. L. Ivey, Vice President, Nuclear Development Support (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. 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. T. W. Yelverton, Nuclear Development Director

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, Senior Project Manager (w/o enclosure)

Mr. C. A. Fenesca, Vogtle Project Manager (w/o enclosure)

Mr. J. M. Oddo, Licensing Manager

Mr. D. C. Shutt, Licensing Engineer

Westinghouse Electric Company, LLC

Mr. S. D. Rupprecht, Vice President of Regulatory Affairs & Strategy (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. M. A. Melton, Manager, Regulatory Interfaces

Mr. R. B. Sisk, Manager, AP1000 Licensing and 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. 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-10-0703

Enclosure

Response to R-COLA SER with Open Items

Chapter 3

<u>Open Item</u>	<u>Response</u>
03.04-01	Plant-Specific – Bellefonte (not included)
03.06-01	Standard – See 03-18-2010 response
03.09-01	Standard – See 12-14-2009 response
03.09-02	Standard – See 03-01-2010 response
03.09-03	Standard – See 03-01-2010 response
03.09-04	Standard – See 03-01-2010 response
03.09-05	Standard – See 01-12-2010 response
03.09-06	Standard – See 12-14-2009 response
03.10-01	Standard – See enclosed revised response
03.11-01	Standard – See 12-14-2009 response

Attachments / Enclosures

None

Pages Included

eRAI Tracking No. 0653

NuStart Qb Tracking No. 4095

NRC SER OI Number 03.10-01:

In RAI 3.10-1, dated August 7, 2008, the applicant was requested to provide an implementation program, including milestones and completion dates with appropriate information submitted with sufficient time for staff review and approval prior to installation of the equipment, not prior to fuel loading, in accordance with Section C.I.3.10.4 of RG 1.206.

In its response, the applicant stated that details of the implementation milestones for the seismic and dynamic qualification program are not currently available, and are not expected to be available until after a detailed construction schedule of the plant has been developed.

Appropriate scheduling information will be provided, when available, to the NRC as necessary to support timely completion of their inspection and audit functions. Additionally, seismic and dynamic qualification is the subject of ITAAC, and 10 CFR 52.99(a) does not require that a schedule for implementing ITAAC be provided to the NRC until one year after issuance of the COL.

The NRC staff determined that the applicant's response to RAI 3.10-1 is not adequate because, in accordance with Section C.I.3.10.4 of RG 1.206, if the results of seismic and dynamic qualification is not available at the time of the COL application, the applicant is expected to submit the following before the issuance of the combined license: (1) descriptions of the implementation program such as identification of seismic qualification methods (Testing or Analysis) for each type of equipment, and (2) milestones for when the different aspects of the seismic qualification program will be complete - dates or condition should be such that the NRC staff will be able to audit the qualification results prior to the installation of the equipment (not before fuel loading as part of the ITAAC program). This is **Open Item 3.10-1**.

SNC Response:

This response supersedes the response of February 5, 2010, except that the originally attached table remains valid and is not re-submitted.

Descriptions of the implementation program methods for seismic qualification of equipment are included in the AP1000 DCD, Section 3.10. In addition, the table attached to the February 5, 2010 letter provides the planned methods of seismic qualification for safety-related, seismic Category I equipment types listed in the AP1000 DCD, Tier 2, Chapter 3, Table 3.2-3.

The seismic qualification packages will be available to the NRC as necessary to support timely completion of their inspection and audit functions. Because not all packages are expected to be completed within a year of the issuance of the combined license, a schedule for the availability of the seismic qualification packages will be included with the schedule information for closure of ITAAC (as required by 10 CFR 52.99(a)).

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

Associated VEGP COL Application Revisions:

None. The previously proposed license condition 6 revisions are withdrawn.

ND-10-0703
Enclosure
Response to SER OIs for Chapter 3

Attachment:

Table - AP1000 Seismic Category I and II Qualification Methods (52 pages) dated January 2010
(as provided with the February 5, 2010, response – not resubmitted)