

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



OCT 15 2010

Docket Nos.: 52-025
52-026

ND-10-2002

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 Request for Additional Information Letter No. 062

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. During the NRC's detailed review of that application, the NRC identified a need for additional information, involving information related to the materials licenses. By letter dated September 14, 2010, the NRC provided SNC with Request for Additional Information (RAI) letter No. 062 concerning this information need. The enclosure to this letter provides the SNC response to this request.

This letter identifies changes that will be made to a future revision of the VEGP Units 3 and 4 combined license application (COLA).

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
NRC

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

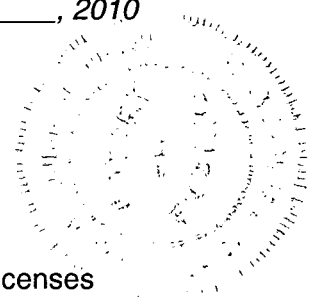
Sworn to and subscribed before me this 15th day of October, 2010

Notary Public: Nancy Louise Henderson

My commission expires: March 23, 2014

CRP/BJS

Enclosure: Response to NRC RAI Letter No. 062 Regarding Material Licenses



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. M. K. Smith, Technical Support Director (w/o enclosure)
Mr. D. M. Lloyd, Vogtle 3 & 4 Project Support Director (w/o enclosure)
Mr. M. J. Ajluni, Nuclear Licensing Manager
Mr. T. C. Moorner, Manager, Environmental Affairs, Chemistry and Rad. Services
Mr. J. D. Williams, Vogtle 3 & 4 Site Support Manager
Mr. J. T. Davis, Vogtle 3 & 4 Site Licensing Supervisor
Mr. W. A. Sparkman, COL Project Engineer
Ms. A. G. Aughtman, Lead AP1000 Licensing Project Engineer
Document Services RTYPE: COR0507-03
File AR.01.02.06

Nuclear Regulatory Commission

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Mr. B. C. Anderson, Project Manager of New Reactors
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Ms. S. Goetz, Project Manager of New Reactors
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Ms. A. N. Faulk, Nuclear Regulatory Affairs Manager

Oglethorpe Power Corporation

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Mr. K. T. Haynes, Director of Contracts and Regulatory Oversight

Municipal Electric Authority of Georgia

Mr. J. E. Fuller, Senior Vice President, Chief Financial Officer
Mr. S. M. Jackson, Vice President, Power Supply

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Mr. D. Cope, President and Chief Executive Officer

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Mr. J. S. Prebula, Project Engineer (w/o enclosure)
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Ms. K. K. Patterson, Project Manager

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Mr. B. Davis, Vogtle Project Manager (w/o enclosure)
Mr. J. M. Oddo, Licensing Manager

Westinghouse Electric Company, LLC

Mr. S. D. Rupprecht, Vice President, New Plant Product Services (w/o enclosure)
Mr. R. J. Buechel, Consortium Project Director Vogtle Units 3 & 4 (w/o enclosure)
Mr. R. F. Ziesing, Director, US Licensing, NPP
Mr. S. A. Bradley, Vogtle Project Licensing Manager
Mr. M. A. Melton, Manager, Regulatory Interfaces
Mr. D. A. Lindgren, Principal Engineer, AP1000 Licensing and Customer Interface

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Ms. A. M. Monroe, SCE&G
Mr. T. Miller, DOE/PM

Response to NRC RAI Letter No. 062

Regarding

Material Licenses

NuStart Qb Tracking No. 4235

NRC eRAI No. 4980

VEGP RAI 01.05-01

- A. Identify the physical form of the byproduct material that will be received, possessed, or used at (Units 3 and 4). If the byproduct material is "in unsealed form, on foils or plated sources, or sealed in glass," does it exceed the quantities in Schedule C in 10 CFR 30.72? If the quantities exceed Schedule C, provide either an evaluation showing the maximum dose to a person offsite would be less than 1 rem dose equivalent or 5 rems to the thyroid [10 CFR 30.32(i)(2)] or provide an emergency plan that meets the requirements of 10 CFR 30.32(i)(3). If compliance through the requirements of 10 CFR 30.32(i)(3) is chosen, address how the implementation of the emergency plan prior to the receipt of byproduct material will be accomplished and reflect the implementation in FSAR Table 13.4-201, "Operational Programs Required by NRC Regulations."
- B. In accordance with 10 CFR 40.31(j)(1), does the request for a Part 40 license involve authorization to receive, possess, or use uranium hexafluoride in excess of 50 kilograms in a single container or 1000 kilograms total? If either of the above quantities is exceeded, provide either an evaluation showing that the maximum intake of uranium by a member of the public due to a release would not exceed 2 milligrams [see 10 CFR 40.31(j)(2)] or an emergency plan for responding to the radiological hazards of an accidental release of source material and to any associated chemical hazards related to the material. [see 10 CFR 40.31(j)(3)].

Response:

No byproduct material will be received, possessed, or used at AP1000 units of a physical form that is "in unsealed form, on foils or plated sources, or sealed in glass," that exceeds the quantities in Schedule C of 10 CFR 30.72. Since the quantities do not exceed Schedule C, an emergency plan that meets the requirements of 10 CFR 30.32(i)(3) is not required. As such, the implementation of the emergency plan prior to the receipt of byproduct material will be removed from FSAR Table 13.4-201, "Operational Programs Required by NRC Regulations," and from Part 10 proposed License Conditions (LC#3, item C.4).

The request for a Part 40 license does not involve authorization to receive, possess, or use uranium hexafluoride in excess of 50 kilograms in a single container or 1000 kilograms total. Since the above quantities are not exceeded, an emergency plan for responding to the radiological hazards of an accidental release of source material and to any associated chemical hazards related to the material is not required. As such, the implementation of the emergency plan prior to the receipt of source material will be removed from FSAR Table 13.4-201, "Operational Programs Required by NRC Regulations."

A specific commitment addressing these limitations during the period prior to the implementation of the Emergency Plan (prior to the initial fuel loading, following the 52.103(g) finding) is included in Chapter 12 of the FSAR.

As a result of the above discussed re-evaluations, the associated COL Application Revisions identified below will be included in a future COLA revision.

This response is expected to be **STANDARD** for each S-COLA.

Associated VEGP COL Application Revisions:

1. COLA Part 2, FSAR Chapter 13, Section 13.4, Table 13.4-201, item 14, Emergency Planning, will be revised to remove the following information related to materials.

(portions applicable to radioactive material)	10 CFR 30.32(i)(3) 10 CFR 40.31(j)(3) 10 CFR 70.22(i)(3)	Prior to initial receipt of byproduct, source, or special nuclear materials (excluding Exempt Quantities as described in 10 CFR 30.18)	10 CFR 30.32(i)(1) 10 CFR 40.31(j)(1) 10 CFR 70.22(i)(1)
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2. COLA Part 2, FSAR Chapter 12, Subsection 12.2.1.1.10, Miscellaneous Sources, will be revised to include a new final paragraph to read:

During the period prior to the implementation of the Emergency Plan (in preparation for the initial fuel loading following the 52.103(g) finding), no specific materials related emergency plan will be necessary because:

- a) No byproduct material will be received, possessed, or used in a physical form that is "in unsealed form, on foils or plated sources, or sealed in glass," that exceeds the quantities in Schedule C in 10 CFR 30.72, and
- b) The source material to be received, possessed, or used does not involve uranium hexafluoride in excess of 50 kilograms in a single container or 1000 kilograms total.

3. COLA Part 10, proposed License Condition 3, Operational Program Implementation, item C, Receipt of Materials, will be revised from:

C.4 – Emergency Planning (applicable portions)

To read:

C.4 – Deleted