



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION II
245 PEACHTREE CENTER AVENUE NE, SUITE 1200
ATLANTA, GEORGIA 30303-1257

February 1, 2011

Southern Nuclear Operating Company, Inc.
ATTN: Mr. David H. Jones
Nuclear Site Vice President Vogtle Units 3 and 4
7825 River Road
Waynesboro, GA 30830

**SUBJECT: SIMULATED INSPECTION AT SOUTHERN NUCLEAR OPERATING
COMPANY VOGTLE ELECTRIC GENERATING PLANT UNIT 3 IN SUPPORT
OF STAGE 2 OF THE ITAAC CLOSURE DEMONSTRATION PROJECT
(PROJECT NUMBER 0783)**

Dear Mr. Jones:

Earlier this year the U.S. Department of Energy proposed sponsoring an exercise with the NRC and industry to demonstrate the review and closure of Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC). The purpose of the demonstration was to (1) gain insights into the readiness of the industry's closure process and the NRC inspection and closure verification process, (2) test aspects of the construction assessment and enforcement process, and (3) evaluate the surge in ITAAC closure submittals during the last year of construction. The NRC and industry agreed to cooperatively pursue this demonstration project. The project was divided into four stages. Simulated inspections in support of Stage 1 were completed on September 23, 2010, and the results were documented in simulated inspection report 05200025/2010001, which was presented to Southern Company and Westinghouse by letter dated October 27, 2010.

Stage 2 of the demonstration project involved the industry completion and submittal of several simulated ITAAC closure documents and notifications to the NRC in accordance with 10 CFR 52.99(c)(1). The NRC Office of New Reactors reviewed the simulated closure documents and, as discussed at public meetings on August 18 and October 7, 2010, requested additional simulated inspections that resulted in a simulated ITAAC finding. The enclosed apparent violation, notice of violation, and inspection details simulate the result of those inspections.

Participants in this exercise included the NRC, DOE as a project sponsor, Westinghouse, and Southern Nuclear Company as the participating applicant/licensee. Based on available resources, schedule implications, and expected benefits, the NRC staff may engage other new reactor vendors and applicants in similar demonstrations. For purposes of this demonstration project, it is assumed that a combined license (COL) has been issued, ITAAC exist, and that the plant is being constructed.

D. Jones

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As previously noted, the initial simulated inspection to review ITAAC closeout documentation for VEGP Unit 3 has been completed. Enclosed with this letter you will find two simulated inspection ITAAC findings, one of which is an apparent violation, that represents the second stage of the project.

Sincerely,

/RA/

Alan J. Blamey, Chief
Construction Projects Branch 2
Division of Construction Projects

Project No.: 0783

Enclosure: Simulated Inspection Report

cc w/encls:

Paulo C. Albuquerque
7825 River Road
Waynesboro, GA 30830

Brandon Waites, P.E.
42 Inverness Center Parkway/Bin B237
Birmingham, AL 35242

Thomas J. Ray
1000 Westinghouse Drive
CWHQ-1, Suite 115
Cranberry Township, PA 16066

Thomas Miller
Department of Energy
NE-72, GTN, Room D430
1000 Independence Ave, SW
Washington, DC 20585

ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

February 1, 2011

EA-11-DEMO

Southern Nuclear Operating Company, Inc.
ATTN: Mr. David H. Jones
Nuclear Site Vice President Vogtle Units 3 and 4
7825 River Road
Waynesboro, GA 30830

SUBJECT: SIMULATED INSPECTION AT SOUTHERN NUCLEAR OPERATING
COMPANY VOGTLE ELECTRIC GENERATING PLANT UNIT 3 – SIMULATED
NRC INSPECTION REPORT 05200025/2011001 AND SIMULATED NOTICE
OF VIOLATION

Dear Mr. Jones:

This refers to the simulated inspection conducted on December 8 - 9, 2010, at your Vogtle Electric Generating Plant (VEGP) Unit 3. The purpose of this inspection was to review Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC) closeout documentation for VEGP Unit 3. The enclosed report presents the results of this inspection.

During this inspection, the NRC staff examined activities conducted under your license as they relate to public health and safety and/or the common defense and security to confirm compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that one simulated Severity Level IV violation of NRC requirements occurred. This simulated violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at (<http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>).

The violation is cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it are described in detail in the subject inspection report. The simulated violation is being cited in the Notice because for reactor facilities under construction in accordance with 10 CFR Part 52, the corrective action program must have been demonstrated to be adequate and as of this inspection the NRC had not yet made this determination for VEGP Unit 3.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In addition, one simulated apparent violation was identified and is being considered for simulated escalated enforcement action in accordance with the NRC Enforcement Policy. The apparent violation involves your submittal of an ITAAC closure letter (ND-10-2183 dated November 11, 2010) that was inaccurate at the time of submittal. Since the NRC has not made a final determination in this matter, no Notice of Violation is being issued for this inspection finding at this time.

ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

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In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review. You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding the apparent violation is required at this time.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal, privacy or proprietary information so that it can be made available to the Public without redaction.

Sincerely,

/RA/

Alan J. Blamey, Chief
Construction Projects Branch 2
Division of Construction Projects

Project No.: 0783

Enclosures: 1. Notice of Violation
2. Inspection Report 05200025/2011001
w/Attachment: Supplemental Information

cc w/encls:

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7825 River Road
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ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

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/RA/

Alan J. Blamey, Chief
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PUBLICLY AVAILABLE NON-PUBLICLY AVAILABLE SENSITIVE NON-SENSITIVE

ADAMS: Yes ACCESSION NUMBER: ML110320226__ SUNSI REVIEW COMPLETE

OFFICE	RII:DCP	RII:DCP	RII:DCI	RII:DCI	RII:DCP	RII:DCP
SIGNATURE	/RA/	via email				
NAME	A. Blamey	R. Lanksbury				
DATE	2/1/2011	1/26/2011				
E-MAIL COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY DOCUMENT NAME: G:\CC\DCP\CPB4\PROJECT VOGTLE\ITAAC DEMONSTRATION PROJECT\VOGTLE 0520025 2011001-FINAL.DOCX

ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

Letter to David H. Jones from Alan Blamey, dated February 1, 2011

SUBJECT: SIMULATED INSPECTION AT SOUTHERN NUCLEAR OPERATING
COMPANY VOGTLE ELECTRIC GENERATING PLANT UNIT 3 – SIMULATED
NRC INSPECTION REPORT 05200025/2011001 AND SIMULATED NOTICE
OF VIOLATION

Distribution w/encl:

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S. Freeman, RII
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PUBLIC

ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

NOTICE OF VIOLATION

Southern Nuclear Operating Company
Vogtle Unit 3

Project No. 0783

During an NRC inspection conducted on December 8-9, 2010, one simulated violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Criterion V of 10 CFR Part 50, Appendix B, required, in part, that activities affecting quality be prescribed by documented drawings of a type appropriate to the circumstances and be accomplished in accordance with these drawings. Drawings shall include appropriate quantitative or qualitative acceptance criteria for determining that important activities have been satisfactorily accomplished. Piping and Instrument Drawings APP-PCS-M6-001 and APP-PCS-M6-002, Passive Containment Cooling System, showed the installation of the Passive Cooling System recirculation loop isolation valve, PCS-PL-V023. Southern Nuclear Operating Company document ND-10-2183 verified that construction of the system was complete as of November 11, 2010.

Contrary to the above, on December 8th, 2010, the inspectors identified that the Passive Cooling System recirculation loop isolation valve, PCS-PL-V023, was not installed as shown on Piping and Instrumentation (P&ID) Drawings APP-PCS-M6-001 and APP-PCS-M6-002.

This is a Severity Level IV violation (Enforcement Policy Section 6.5.d)

Pursuant to the provisions of 10 CFR 2.201, Southern Nuclear Operating Company would normally be required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply would be marked as a "Reply to a Notice of Violation" and would include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken, and (4) the date when full compliance will be achieved. However, because this is a simulated violation, no response is required.

If you were to contest this enforcement action, you would also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because any response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>, to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that delete such information.

ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

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If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 1st day of February 2011

SIMULATED

ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

U.S. NUCLEAR REGULATORY COMMISSION
Region II

Project No.: 0783
License No.: (Not Applicable for Demonstration)
Report No.: 05200025/2011001
Applicant/Licensee: Southern Nuclear Operating Company
Facility: Vogtle Electric Generating Plant Unit 3
Location: 7825 River Road
Waynesboro, GA 30830
Inspection Dates: December 8-9, 2010 (Vogtle)
Inspectors: S. Freeman, Senior Construction Inspector, RII (Lead)
Accompanying Personnel: E. Patterson, Construction Inspector Trainee, RII
Approved by: Alan J. Blamey, Chief
Construction Projects Branch 2
Division of Construction Projects

ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

SUMMARY OF FINDINGS

Simulated Inspection Report 05200025/2011001; December 8, 2010, through December 9, 2010; Vogtle Electric Generating Plant (VEGP) Unit 3; ITAAC Attributes for As-Built Inspection, Stage 2 Demonstration Inspection of Inspections, Tests, Analyses and Acceptance Criteria (ITAAC) Closeout.

The report covered a simulated announced inspection to review ITAAC closeout documentation for VEGP Unit 3. Two simulated ITAAC Findings (one Severity Level (SL) IV violation and one apparent violation) were identified. The Nuclear Regulatory Commission's (NRC's) program for overseeing the construction of commercial nuclear power reactors is described in IMC 2506.

A. NRC-Identified Finding

1. Inspection Procedure: 65001.A, ITAAC Attributes for As-Built Inspection (IP 65001.A).

2011001-01: Failure to install Passive Containment Cooling System (PCS) recirculation loop Isolation Valve: During a system walk down of the PCS on December 8, 2010, the inspectors identified that valve PCS-PL-V023, PCS recirculation loop isolation valve, had not been installed in the system as required by the piping and instrument drawings (P&ID) and Design Certification Document (DCD) Tier 1 Figure 2.2.2-1. Southern Nuclear Operating Company ITAAC closure letter, ND-10-2183, dated November 11, 2010, was submitted and reported that the functional arrangement of the PCS was confirmed to be in accordance with the design description in Tier 1 Section 2.2.2 of the DCD. The issue was determined to be an ITAAC Finding and a Severity Level (SL) IV violation of 10 CFR Part 50, Appendix B, Criterion V, for failure to follow design drawings.

2. Inspection Procedure: 65001.A, ITAAC Attributes for As-Built Inspection (IP 65001.A).

2011001-02: Failure to provide accurate information in an ITAAC closure letter: During a review of ITAAC closure letter ND-10-2183, dated November 11, 2010, on December 8, 2010, the inspectors identified that the letter was not accurate in all material respects. Specifically, the letter reported that the functional arrangement of the PCS was confirmed to be in accordance with the design when in fact a required valve was not installed. The issue was determined to be an ITAAC Finding and an apparent violation.

B. Licensee-Identified and Self-Revealing Violations Not Evaluated as Findings

None

ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

REPORT DETAILS

A. ITAAC-RELATED INSPECTIONS

1. Inspection of ITAAC Attributes for As-Built Inspection (IP 65001.A).

a. ITAAC No./Family: 2.2.02.01/14A

1) Inspection Scope

The inspectors conducted a field inspection of licensee activities involving ITAAC 2.2.02.01, Acceptance of the Passive Containment Cooling System (PCS) piping configuration. The inspectors conducted a walk down of the PCS using P&IDs APP-PCS-M6-001 and APP-PCS-M6-002, Walk Down Procedure, and Checklists to verify that the acceptance criterion for ITAAC 2.2.02.1 was met. In addition, the inspectors verified that piping contractors had the approved qualifications and used appropriate procedures to ensure that the as-built design requirements were met for the piping activities associated with this ITAAC. Inspectors also interviewed a sample of the craft and quality control (QC) personnel that originally completed the configuration walk down.

2) Findings

a) Description:

During a PCS system walk down on December 8, 2010, the inspectors identified a finding for failure to install the PCS recirculation loop isolation valve, PCS-PL-V023. PCS piping and instrument drawings (P&ID) APP-PCS-M6-001 and APP-PCS-M6-002 required this valve to be installed. Additionally, the Southern Nuclear Operating Company (SNOC) walk down of the PCS piping, that was used to verify the acceptance criteria for ITAAC 2.2.02.01, failed to identify the missing valve.

Isolation valve PCS-PL-V023 was listed in DCD Tier 1 Figure 2.2.2-1, and failure to install this valve resulted in the system not meeting the design described in Section 2.2.2 of the DCD. The missing isolation valve was associated with the recirculation path provided to control the passive containment cooling water storage tank water chemistry for freeze protection.

The SNOC entered this issue into their corrective action process, initiated corrective action, and performed an extent of condition review. As a result of that review, SNOC determined that all other piping system as-built configurations were completed in accordance with the specific ITAAC acceptance criteria.

b) Analysis:

The inspectors determined that the NRC identified failure to install valve PCS-PL-V023 was material to the acceptance criteria of ITAAC 2.2.02.01 because the valve was listed in Tier 1 Figure 2.2.2-1, which was referenced by the design description in Section 2.2.2 of the DCD. Because SNOC had already submitted the closure letter for this ITAAC, this is an ITAAC Finding.

ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

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The violation was more than minor because if left uncorrected it could adversely affect the quality of the construction of a structure, system, or component (SSC) with an ITAAC requirement. This violation did not meet the criteria to be greater than a SL IV violation. Therefore, this finding is a SL IV violation as described in NRC Enforcement Policy Section 6.5.

This finding did not have a construction safety focus component aspect.

c) Enforcement:

Criterion V of 10 CFR Part 50, Appendix B, required, in part, that activities affecting quality be prescribed by documented drawings of a type appropriate to the circumstances and be accomplished in accordance with these drawings. Drawings shall include appropriate quantitative or qualitative acceptance criteria for determining that important activities have been satisfactorily accomplished. Piping and Instrument Drawings APP-PCS-M6-001 and APP-PCS-M6-002, Passive Containment Cooling System, showed the installation of the Passive Cooling System recirculation loop isolation valve, PCS-PL-V023. Southern Nuclear Operating Company document ND-10-2183 verified that construction of the system was complete as of November 11, 2010.

Contrary to the above, on December 8, 2010, the inspectors identified that activities affecting quality were not accomplished in accordance with the drawings and the design requirements. Specifically, the Passive Cooling System recirculation loop isolation valve, PCS-PL-V023, which is shown on P&IDs APP-PCS-M6-001 and APP-PCS-M6-002, and in Figure 2.2.2-1 of the referenced design control document had not been installed. This violation was entered into the licensee's Corrective Action Program and is being cited in a Notice of Violation (NOV) (VIO 0520025/2011001-01), consistent with the NRC Enforcement Policy.

b. ITAAC No./Family: 2.2.02.01/14A

1) Inspection Scope

The inspectors conducted a field inspection of SNOC activities involving ITAAC 2.2.02.01, acceptance of the PCS piping configuration. Specifically, the inspectors reviewed ITAAC closure letter, ND-10-2183 dated, November 11, 2010, compared it to the acceptance criteria for ITAAC 2.2.02.01, and compared the licensee's conclusion discussed in the letter to the actual installed PCS piping configuration.

2) Findings

a) Description:

On December 8, 2010, the inspectors identified a finding for failure to provide accurate information in the ITAAC closure letter, ND-10-2183. During the inspectors walk down of the PCS system it was determined that recirculation loop isolation valve, PCS-PL-V023 was never installed.

ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

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The SNOC walk down of the PCS piping to verify the acceptance criteria and document the completion of ITAAC 2.2.02.01, failed to identify the missing valve. On November 11, 2010 SNOC submitted an ITAAC closure letter (ND-10-2183) to the NRC. The submitted ITAAC closure letter was inaccurate because it did not identify the missing PCS valve (PCS-PL-V023) and stated that the ITAAC was complete.

SNOC entered this issue into their corrective action process, initiated corrective action, and performed an extent of condition review. As a result of that review, the SNOC determined that all other previously submitted ITAAC closure letters were accurate.

b) Analysis:

The inspectors determined that failure to provide accurate information to the NRC was a violation of regulatory requirements. This issue was associated with a specific ITAAC and was material to an ITAAC acceptance criterion; additionally, an ITAAC closure letter had been issued by SNOC and was inaccurate at the time of submittal. Therefore, this is an ITAAC Finding. The violation was more than minor because if left uncorrected it could adversely affect the quality of the construction of an SSC with an ITAAC requirement. This violation also met the criteria to potentially be greater than a SL IV violation because inaccurate or incomplete information was provided and if the accurate information was provided it would likely have resulted in the NRC rejection of the closure letter. Therefore, pending further review by the NRC this finding is an apparent violation as described in the NRC Enforcement Policy.

This finding did not have a construction safety focus component aspect.

c) Enforcement:

In accordance with 10 CFR 52.6(a), information submitted to the Commission by a licensee shall be complete and accurate in all material respects.

Contrary to the above, SNOC submitted ITAAC closure letter ND-10-2183 dated, November 11, 2010, which was not complete and accurate in all material respects. Specifically, the letter reported that the functional arrangement of the PCS was confirmed to be in accordance with the Design Description in Tier 1 Section 2.2.2 of the Design Control Document (DCD) when in fact a valve (PCS-PL-V023) required and specified in the design was not installed at the time the letter was submitted. This is an apparent violation (AV 0520025/2011001-02) pending further review by the NRC.

ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
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B. Exit Meeting Summary

On January 6, 2011, the inspectors initially presented the inspection results of the Vogtle site portion of the simulated inspection to Mr. P. Albuquerque who acknowledged the findings. Subsequently, on January 21, 2011, the inspectors had additional discussions with Mr. Albuquerque to re-characterize the inspection results who acknowledged the findings. The inspectors stated that no proprietary information would be included in the inspection report.

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ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
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SUPPLEMENTAL INFORMATION

KEY POINTS OF CONTACT

Applicant personnel

P. Albuquerque, Licensing Engineer, Southern Nuclear Operating Company (SNOC)

NRC Personnel

S. Freeman, Senior Project Inspector

LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED

Opened

0520025/2011001-01	VIO	Failure to adequately complete the as-built configuration for the Passive Containment Cooling system.
0520025/2011001-02	AV	Failure to provide accurate information in an ITAAC closure letter.

Opened and Closed

None

Closed

None

Discussed

None

ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

LIST OF DOCUMENTS REVIEWED

Section A: ITAAC-Related Inspections

ITAAC 2.2.02.01 Closure Letter ND-10-2183, November 11, 2010
Passive Containment Cooling System P&ID PCS-M6-001,
Passive Containment Cooling System P&ID PCS-M6-002,
Standard Plant ITAAC 2.2.02.01 Performance and Doc. Plan APP-PCS-ITH-001, Rev A
Piping Walk Down Procedure
Piping Walk Down Quality Control Checklist
Corrective Action
Licensee PCS As-Built Configuration Document
ND-10-2183 ITAAC Closure Letter

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ITAAC CLOSURE AND VERIFICATION DEMONSTRATION
Simulated Inspection Report

LIST OF ACRONYMS

CFR	Code of Federal Regulations
COL	Combined License
DCD	Design Certification Document
IP	Inspection Procedure
ITAAC	Inspection, Test, Analysis, and Acceptance Criteria
NOV	Notice of Violation
NRC	Nuclear Regulatory Commission
PCS	Passive Containment Cooling System
P&ID	Piping and Instrumentation Drawing
QA	Quality Assurance
QC	Quality Control
SL	Severity Level
SNOC	Southern Nuclear Operating Company
SSC	System, Structure, or Component
VEGP	Vogtle Electric Generating Plant
CR	Corrective Action Report

SIMULATED