



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 27, 2012

Mr. Thomas D. Gatlin
Vice President, Nuclear Operations
South Carolina Electric & Gas Company
Virgil C. Summer Nuclear Station
Post Office Box 88
Jenkinsville, SC 29065

SUBJECT: VIRGIL C. SUMMER NUCLEAR STATION, UNIT NO. 1 - LICENSE AMENDMENT REQUEST TO TRANSITION TO TITLE 10 OF THE *CODE OF FEDERAL REGULATIONS* (10 CFR), PART 50, SECTION 50.48(c), NATIONAL FIRE PROTECTION ASSOCIATION STANDARD NFPA 805, AND REQUEST TO RE-INSTATE ENFORCEMENT DISCRETION (TAC NO. ME6631)

Dear Mr. Gatlin:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated November 15, 2011, as supplemented on January 26, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML11321A172 and ML12031A149, respectively), the South Carolina Electric & Gas Company submitted a license amendment request (LAR) for the Virgil C. Summer Nuclear Station, Unit 1 (VCSNS). The proposed amendment would transition the fire protection licensing basis for VCSNS to the risk-informed performance-based alternative based on National Fire Protection Association Standard 805 (NFPA 805). The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this LAR. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to continue its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Consistent with Section 50.90 of Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, an amendment to the license (including the technical specifications) must fully describe the changes requested, and following as far as applicable, the form prescribed for original applications. Section 50.34 of 10 CFR addresses the content of technical information required. This section stipulates that the submittal address the design and operating characteristics, unusual or novel design features, and principal safety considerations.

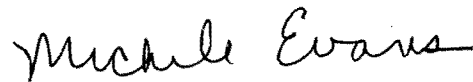
The NRC staff has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the NRC staff to continue its detailed technical review and make an independent assessment regarding the acceptability of the proposed amendment in terms of regulatory requirements and the protection of public health and safety and the environment. Given the lesser scope and depth of the acceptance review as compared to the detailed technical review, there may be instances in which issues that impact the NRC staff's ability to complete the detailed technical review are identified despite completion of an adequate acceptance review. You will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

T. Gatlin

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By letter dated November 21, 2011 (ADAMS No. ML11329A005), you also submitted a request that enforcement discretion for fire protection issues be extended to correspond with the LAR submittal date. In accordance with the NRC Enforcement Policy, Section 9.1 "Enforcement Discretion for Certain Fire Protection Issues (10 CFR 50.48)," in order to regain enforcement discretion you must: 1) submit an acceptable LAR, and 2) provide appropriate justification. The NRC staff has determined that your LAR is acceptable for detailed review and that you have provided justification to regain enforcement discretion, therefore discretion will be reinstated from the date we received your LAR.

Sincerely,

A handwritten signature in black ink that reads "Michele Evans". The signature is written in a cursive style with a prominent initial "M".

Michele Evans, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-395

cc: Distribution via Listserv

T. Gatlin

- 2 -

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Sincerely,

/RA/

Michele Evans, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-395

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