

PMVogtleCOLPEM Resource

From: Joshi, Ravindra
Sent: Wednesday, May 23, 2012 8:39 AM
To: PMVogtleCOLPEM Resource
Cc: McGovern, Denise; Tonacci, Mark; Libby, Earl; Wilson, Anthony; Bielecki, Jessica
Subject: RE: Telecon Summary--Conference call of May 22, 2012 with Vogtle--Results of staff's acceptance review of LAR 12-004

Telecon Summary--Conference call of May 22, 2012 with Vogtle--Results of staff's acceptance review of LAR 12-004

On May 22, 2012, the NRC staff (See list below) participated in a telephone conference call with Vogtle representatives (list is provided below) to discuss results of staff's acceptance review of LAR 12-004:

Participants:

NRC Participants:

R. Joshi
M. Tonacci
D. McGovern
A. Wilson
E. Libby

Southern Nuclear Operating Company (SNC): Wes Sparkman, Eddie Grant, Neil Haggerty, Amy Aughtman, Chuck Pierce

Westinghouse: Tom Ray

Discussion:

The purpose of the call to provide results of the staff's acceptance review of LAR 12-004 to Licensee (Vogtle-SNC). Staff presented the following points to SNC

“Southern Nuclear Operating Company (SNC) submitted a License Amendment Request (LAR) 12-004 for NRC review and approval. The LAR does not provide technical information in sufficient detail and does not properly apply the applicable regulations.

The LAR does not properly apply the processes for changes and departures as required in 10 CFR 52, Appendix D, Section VIII.B.5.a. The NRC staff has reviewed the LAR and concluded that the Tier 2 departures involve changes to or departure from Tier 1 information and prior NRC approval is required for both the proposed Tier1 and Tier 2 changes included in LAR 12-004. The licensee has not requested approval of the Tier 2 changes. Therefore, the information provided in the LAR is insufficient in scope and depth to the NRC staff to complete its detailed technical review.”

In addition, the staff provided the following gaps/deficiencies regarding LAR 12-004:

- The Requirements of 50.92(c) Were Not Fully Addressed
- The Request Failed to Address the Potential for Adverse Effects on Safety and Security
- Justification for exemption failed to address 10 CFR 50.12(a)(1)—will not present an undue risk to the public and safety.
- Justification for exemption failed to address 10 CFR 52, Appendix D, VIII.A.4—the design change will not result in a significant decrease in the level of safety
- The Request Failed to Include Implementation Time

In addition, the staff stated that we providing this notification of NRC staff's decision to non-accept LAR 12-004, pursuant to 10 CFR 2.101, and SNC should be aware that it can withdraw the application pursuant to 10 CFR 2.107. The staff stated that SNC should to fully document the reasons for withdrawal in its letter and understand that the NRC staff will document the information insufficiencies in the either the letter of non-acceptance of the LAR or the withdrawal acknowledgement letter. Staff also stated that regardless of whether SNC intend to withdraw the LAR, NRC will continue processing the non-acceptance of the LAR. SNC indicated that it understand the staff's rational for non-accepting the LAR and it will be evaluating its options to withdraw the LAR prior to the staff sending its non-acceptance letter and provide its decision by Friday, May 25, 2012 to the NRC. The staff told SNC that If SNC fails to withdraw the LAR, NRC will send the letter of non-acceptance of the LAR approximately 1 week later.

If SNC, prior to issuance of the non-acceptance letter, submits a written request to withdraw the LAR, the NRC staff will modify our non-acceptance letter to accept the withdrawal and terminate the review. The documentation of the insufficiencies that led to the withdrawal will be included in the letter. This action is both supportive of a clear public record and informative to other licensees or applicants that may be preparing similar LARs.

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Hearing Identifier: Vogtle_COL_Public
Email Number: 566

Mail Envelope Properties (BBC4D3C29CD0E64E9FD6CE1AF26D84D5A476B31C51)

Subject: RE: Telecon Summary--Conference call of May 22, 2012 with Vogtle--Results of staff's acceptance review of LAR 12-004
Sent Date: 5/23/2012 8:39:05 AM
Received Date: 5/23/2012 8:39:07 AM
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Files	Size	Date & Time
MESSAGE	3809	5/23/2012 8:39:07 AM

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