



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

April 24, 2013

Mr. C. R. Pierce
Regulatory Affairs Director
Southern Nuclear Operating Company, Inc.
Post Office Box 1295, Bin - 038
Birmingham, AL 35201-1295


SUBJECT: VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2, ISSUANCE OF AMENDMENTS REGARDING ADOPTION OF TSTF-439, "ELIMINATE SECOND COMPLETION TIMES LIMITING TIME FROM DISCOVERY OF FAILURE TO MEET AN LCO" (TAC NOS. ME9470 AND ME9471)

Dear Mr. Pierce:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 169 to Renewed Facility Operating License NPF-68 and Amendment No. 151 to Renewed Facility Operating License NPF-81 for the Vogtle Electric Generating Plant (VEGP), Units 1 and 2, in response to your letters dated August 31 and December 6, 2012. The amendments revise VEGP Technical Specifications (TSs) 3.6.6, 3.7.5, 3.8.1, 3.8.9, and TS Example 1.3-3 by eliminating second completion times from the TSs in accordance with TS Task Force Traveler (TSTF)-439, "Eliminate Second Completion Times Limiting Time from Discovery of Failure to Meet an LCO [Limiting Condition for Operation]." In addition, the amendment makes an administrative change to TS 3.6.6 by removing an obsolete note associated with Condition A.

A copy of the related Safety Evaluation is also enclosed. A Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,


Robert E. Martin, Senior, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-424 and 50-425

Enclosures:

1. Amendment No. 169 to NPF-68
2. Amendment No. 151 to NPF-81
3. Safety Evaluation

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
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SOUTHERN NUCLEAR OPERATING COMPANY, INC.

GEORGIA POWER COMPANY

OGLETHORPE POWER CORPORATION

MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA

CITY OF DALTON, GEORGIA

DOCKET NO. 50-424

VOGTLE ELECTRIC GENERATING PLANT, UNIT 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 169
Renewed License No. NPF-68

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Vogtle Electric Generating Plant, Unit 1 (the facility) Renewed Facility Operating License No. NPF-68 filed by the Southern Nuclear Operating Company, Inc. (the licensee), acting for itself, Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, and City of Dalton, Georgia (the owners), dated August 31, 2012, as supplemented on December 6, 2012, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

Enclosure 1

2. Accordingly, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Renewed Facility Operating License No. NPF-68 is hereby amended to read as follows:

C. Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 169 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. Southern Nuclear shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 90 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert J. Pascarelli, Chief
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to License No. NPF-68
and the Technical Specifications

Date of Issuance: April 24, 2013



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

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

GEORGIA POWER COMPANY

OGLETHORPE POWER CORPORATION

MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA

CITY OF DALTON, GEORGIA

DOCKET NO. 50-425

VOGTLE ELECTRIC GENERATING PLANT, UNIT 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 151
Renewed License No. NPF-81

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Vogtle Electric Generating Plant, Unit 2 (the facility) Renewed Facility Operating License No. NPF-81 filed by the Southern Nuclear Operating Company, Inc. (the licensee), acting for itself, Georgia Power Company Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, and City of Dalton, Georgia (the owners), dated August 31, 2012, as supplemented on December 6, 2012, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

Enclosure 2

2. Accordingly, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Renewed Facility Operating License No. NPF-81 is hereby amended to read as follows:

C. Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 151 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. Southern Nuclear shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 90 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert J. Pascarelli, Chief
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to License No. NPF-81
and the Technical Specifications

Date of Issuance: April 24, 2013

ATTACHMENT

TO LICENSE AMENDMENT NO. 169

RENEWED FACILITY OPERATING LICENSE NO. NPF-68

DOCKET NO. 50-424

AND

TO LICENSE AMENDMENT NO. 151

RENEWED FACILITY OPERATING LICENSE NO. NPF-81

DOCKET NO. 50-425

Replace the following pages of the Licenses and the Appendix A Technical Specifications (TSs) with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove Pages

License

License No. NPF-68, page 4

License No. NPF-81, page 3

TSs

1.3-2

1.3-6

1.3-7

3.6.6-1

3.7.5-1

3.8.1-2

3.8.9-1

3.8.9-2

Insert Pages

License

License No. NPF-68, page 4

License No. NPF-81, page 3

TSs

1.3-2

1.3-6

1.3-7

3.6.6-1

3.7.5-1

3.8.1-2

3.8.9-1

3.8.9-2

(1) Maximum Power Level

Southern Nuclear is authorized to operate the facility at reactor core power levels not in excess of 3625.6 megawatts thermal (100 percent power) in accordance with the conditions specified herein.

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 169 and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. Southern Nuclear shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Southern Nuclear Operating Company shall be capable of establishing containment hydrogen monitoring within 90 minutes of initiating safety injection following a loss of coolant accident.

(4) Deleted

(5) Deleted

(6) Deleted

(7) Deleted

(8) Deleted

(9) Deleted

(10) Mitigation Strategy License Condition

The licensee shall develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

(a) Fire fighting response strategy with the following elements:

1. Pre-defined coordinated fire response strategy and guidance
2. Assessment of mutual aid fire fighting assets
3. Designated staging areas for equipment and materials
4. Command and control
5. Training of response personnel

(b) Operations to mitigate fuel damage considering the following:

1. Protection and use of personnel assets
2. Communications
3. Minimizing fire spread
4. Procedures for implementing integrated fire response strategy
5. Identification of readily-available pre-staged equipment
6. Training on integrated fire response strategy

- (2) Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, and City of Dalton, Georgia, pursuant to the Act and 10 CFR Part 50, to possess but not operate the facility at the designated location in Burke County, Georgia, in accordance with the procedures and limitations set forth in this license;
 - (3) Southern Nuclear, pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;
 - (4) Southern Nuclear, pursuant to the Act and 10 CFR Parts 30, 40, and 70 to receive, possess, and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
 - (5) Southern Nuclear, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;
 - (6) Southern Nuclear, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility authorized herein.
- C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect, and is subject to the additional conditions specified or incorporated below.

(1) Maximum Power Level

Southern Nuclear is authorized to operate the facility at reactor core power levels not in excess of 3625.6 megawatts thermal (100 percent power) in accordance with the conditions specified herein.

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 151 and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. Southern Nuclear shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

The Surveillance Requirements (SRs) contained in the Appendix A Technical Specifications and listed below are not required to be performed immediately upon implementation of Amendment No. 74. The SRs listed below shall be

1.3 Completion Times

DESCRIPTION
(continued)

However, when a subsequent train, subsystem, component, or variable expressed in the Condition is discovered to be inoperable or not within limits, the Completion Time(s) may be extended. To apply this Completion Time extension, two criteria must first be met. The subsequent inoperability:

- a. Must exist concurrent with the first inoperability; and
- b. Must remain inoperable or not within limits after the first inoperability is resolved.

The total Completion Time allowed for completing a Required Action to address the subsequent inoperability shall be limited to the more restrictive of either:

- a. The stated Completion Time, as measured from the initial entry into the Condition, plus an additional 24 hours; or
- b. The stated Completion Time as measured from discovery of the subsequent inoperability.

The above Completion Time extensions do not apply to those Specifications that have exceptions that allow completely separate re-entry into the Condition (for each train, subsystem, component, or variable expressed in the Condition) and separate tracking of Completion Times based on this re-entry. These exceptions are stated in individual Specifications.

The above Completion Time extension does not apply to a Completion Time with a modified "time zero." This modified "time zero" may be expressed as a repetitive time (i.e., "once per 8 hours," where the Completion Time is referenced from a previous completion of the Required Action versus the time of Condition entry) or as a time modified by the phrase "from discovery . . ."

(continued)

1.3 Completion Times

EXAMPLES
(continued)

EXAMPLE 1.3-3 MULTIPLE FUNCTION COMPLETION TIMES/
SEPARATE COMPLETION TIMES

ACTIONS

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. One Function X train inoperable.	A.1 Restore Function X train to OPERABLE status.	7 days
B. One Function Y train inoperable.	B.1 Restore Function Y train To OPERABLE Status.	72 hours
C. One Function X train inoperable. <u>AND</u> One Function Y train inoperable.	C.1 Restore Function X train To OPERABLE Status. <u>OR</u> C.2 Restore Function Y train To OPERABLE Status.	72 hours 72 hours

(continued)

1.3 Completion Times

EXAMPLES

EXAMPLE 1.3-3 (continued)

When one Function X train and one Function Y train are inoperable, Condition A and Condition B are concurrently applicable. The Completion Times for Condition A and Condition B are tracked separately for each train starting from the time each train was declared inoperable and the Condition was entered. A separate Completion Time is established for Condition C and tracked from the time the second train was declared inoperable (i.e., the time the situation described in Condition C was discovered).

If Required Action C.2 is completed within the specified Completion Time, Conditions B and C are exited. If the Completion Time for Required Action A.1 has not expired, operation may continue in accordance with Condition A.

It is possible to alternate between Conditions A, B, and C in such a manner that operation could continue indefinitely without ever restoring systems to meet the LCO. However, doing so would be inconsistent with the basis of the Completion Times. Therefore, there shall be administrative controls to limit the maximum time allowed for any combination of Conditions that result in a single contiguous occurrence of failing to meet the LCO. These administrative controls shall ensure that the Completion Times for those Conditions are not inappropriately extended.

(continued)

3.6 CONTAINMENT SYSTEMS

3.6.6 Containment Spray and Cooling Systems

LCO 3.6.6 Two containment spray trains and two containment cooling trains shall be OPERABLE.

APPLICABILITY: MODES 1, 2, 3, and 4.

ACTIONS

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. One containment spray train inoperable.	A.1 Restore containment spray train to OPERABLE status.	72 hours
B. One containment cooling train inoperable.	B.1 Restore containment cooling train to OPERABLE status.	72 hours
C. Required Action and associated Completion Time not met.	C.1 Be in MODE 3.	6 hours
	<u>AND</u> C.2 Be in MODE 5.	84 hours

3.7 PLANT SYSTEMS

3.7.5 Auxiliary Feedwater (AFW) System

LCO 3.7.5 Three AFW trains shall be OPERABLE.

APPLICABILITY: MODES 1, 2, and 3.

ACTIONS

-----NOTE-----
LCO 3.0.4b is not applicable.

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. One steam supply to turbine driven AFW pump inoperable.	A.1 Restore steam supply to OPERABLE status.	7 days
B. One AFW train inoperable for reasons other than Condition A.	B.1 Restore AFW train to OPERABLE status.	72 hours

(continued)

ACTIONS

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. (continued)	A.2 Declare required feature(s) with no offsite power available inoperable when its redundant required feature(s) is inoperable.	24 hours from discovery of no offsite power to one train concurrent with inoperability of redundant required feature(s)
	<u>AND</u> A.3 Restore required offsite circuit to OPERABLE status.	72 hours

(continued)

3.8 ELECTRICAL POWER SYSTEMS

3.8.9 Distribution Systems – Operating

LCO 3.8.9 The required AC, DC, and AC vital bus electrical power distribution subsystems shall be OPERABLE.

-----NOTE-----

The redundant emergency buses of 4160 V switchgear 1/2AAO2 and 1/2BAO3 may be manually connected within the unit by tie breakers in order to allow transfer of preferred offsite power sources provided SR 3.8.1.1 is successfully performed within 12 hours prior to the interconnection. The interconnection shall be implemented without adversely impacting the ability to simultaneously sequence both trains of LOCA loads.

APPLICABILITY: MODES 1, 2, 3, and 4.

ACTIONS

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. One or more AC electrical power distribution subsystems inoperable.	A.1 Restore AC electrical power distribution subsystems to OPERABLE status.	8 hours
B. One or more AC vital bus electrical power distribution subsystems inoperable.	B.1 Restore AC vital bus electrical power distribution subsystems to OPERABLE status.	2 hours

(continued)

ACTIONS (continued)

CONDITION	REQUIRED ACTION	COMPLETION TIME
C. One or more DC electrical power distribution subsystems inoperable.	C.1 Restore DC electrical power distribution subsystems to OPERABLE status.	2 hours
D. Required Action and associated Completion Time not met.	D.1 Be in MODE 3.	6 hours
	<u>AND</u> D.2 Be in MODE 5.	36 hours
E. Two or more electrical power distribution subsystems inoperable that result in a loss of function.	E.1 Enter LCO 3.0.3.	Immediately

SURVEILLANCE REQUIREMENTS

SURVEILLANCE	FREQUENCY
SR 3.8.9.1 Verify correct breaker alignments and voltage to required AC, DC, and AC vital bus electrical power distribution subsystems.	In accordance with the Surveillance Frequency Control Program



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO

AMENDMENT NO. 169 TO RENEWED FACILITY OPERATING LICENSE NPF-68

AND

AMENDMENT NO. 151 TO RENEWED FACILITY OPERATING LICENSE NPF-81

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2

DOCKET NOS. 50-424 AND 50-425

1.0 INTRODUCTION

By application dated August 31, 2012, as supplemented by letter dated December 6, 2012, (Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML12248A037 and ML12342A348, respectively), Southern Nuclear Operating Company, Inc. (SNC, the licensee), submitted a license amendment request regarding the Vogtle Electric Generating Plant (VEGP), Units 1 and 2 Technical Specifications (TSs). This amendment revises VEGP TSs 3.6.6, 3.7.5, 3.8.1, 3.8.9, and TS Example 1.3-3 by eliminating second completion times from the TSs in accordance with TS Task Force Traveler (TSTF)-439, "Eliminate Second Completion Times Limiting Time from Discovery of Failure to Meet an LCO [Limiting Condition for Operation]." In addition, the amendment makes an administrative change to TS 3.6.6 by removing an obsolete note associated with Condition A.

By letter dated December 6, 2012 (ADAMS Accession No. ML12342A348), the licensee supplemented its amendment request with additional information regarding adoption of TSTF-439, Revision 2. The supplemental information clarified the amendment request, did not expand the scope of the application as originally noticed, and did not change the U.S. Nuclear Regulatory Commission (NRC or the Commission) staff's original proposed no significant hazards consideration as published in the *Federal Register* on December 11, 2012 (77 FR 73690).

2.0 REGULATORY EVALUATION

The NRC staff reviewed the proposed changes to eliminate TS second completion times against the criteria of Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 50.36 and the precedent as established in NUREG-1431, "Standard Technical Specifications [STS], Westinghouse Plants," Revision 4. Section 182a of the Atomic Energy Act requires applicants for nuclear power plant operating licenses to include TSs as part of the license. These TSs are derived from the plant safety analyses. In 10 CFR 50.36, the NRC established its regulatory

requirements related to the content of the TSs. The TS requirements in 10 CFR 50.36 include the following categories: (1) safety limits, limiting safety systems settings and control settings, (2) LCO, (3) surveillance requirements (SRs), (4) design features, (5) administrative controls, (6) decommissioning, (7) initial notification, and (8) written reports.

In NUREG-1431, a second Completion Time was included in the STS for certain Required Actions to establish a limit on the maximum time allowed for any combination of Conditions that would result in a single continuous failure to meet the LCO. These Completion Times (henceforth referred to as "second Completion Times") are joined by an "AND" logical connector to the Condition-specific Completion Time and state "X days from discovery of failure to meet the LCO" (where "X" varies by specification). The intent of the second Completion Time was to preclude entry into and out of the Actions for an indefinite period of time without meeting the LCO. The second completion time provides a limit on the amount of time that the LCO would not be met for various combinations of Conditions. TSTF-439, Revision 2, deletes these second Completion Times from the affected Required Actions from the STS.

Paragraph (a)(1) of 10 CFR 50.65, the Maintenance Rule, requires each licensee to monitor the performance or condition of structures, systems, and components (SSCs) against licensee-established goals in a manner sufficient to provide reasonable assurance that the SSCs are capable of fulfilling their intended functions. The goals shall be established commensurate with safety and, where practical, take into account industry-wide operating experience. If the performance or condition of an SSC does not meet established goals, appropriate corrective action is required to be taken. The effectiveness of these performance and condition monitoring activities, and associated goals and preventive maintenance activities, are evaluated at least every refueling cycle, not to exceed 24 months per 10 CFR 50.65(a)(3).

On June 20, 2005 (ADAMS Accession No. ML051860296) the TSTF submitted a proposed change, TSTF-439, Revision 2, to the improved Standard Technical Specifications (STS) on behalf of the industry. TSTF-439, Revision 2, was approved by the NRC in a letter dated January 11, 2006, to the TSTF (ADAMS Accession No. ML060120272).

3.0 TECHNICAL EVALUATION

3.1 TSTF-439 Proposed Changes

TS Example 1.3-3 would be revised by replacing the discussion of a 10 day Completion Time measured from the time it was discovered the LCO was not met with a requirement for administrative controls that will limit the maximum time allowed for any combination of Conditions that result in a single contiguous occurrence of failing to meet the LCO. In accordance with TSTF-439, Revision 2, and consistent with the changes to TS Example 1.3-3, the following changes to the VEGP TSs are also proposed:

- Deletion of the second Completion Times associated with TS 3.6.6, "Containment Spray and Cooling Systems," Required Actions A.1 and B.1, which state, "AND 6 days from discovery of failure to meet the LCO."

- Deletion of the second Completion Times associated with TS 3.7.5, "Auxiliary Feedwater (AFW) System," Required Actions A.1 and B.1, which state, "AND 10 days from discovery of failure to meet the LCO."
- Deletion of the second Completion Time associated with TS 3.8.1, "AC Sources – Operating," Required Action A.3, which states, "AND 14 days from the discovery of failure to meet LCO."
- Deletion of the second Completion Times associated with TS 3.8.9, "Distribution Systems – Operating," Required Actions A.1, B.1, and C.1 which state, "AND 16 hours from discovery of failure to meet LCO."

3.1.1 Containment Spray and Cooling Systems

TS 3.6.6, Containment Spray and Cooling Systems, has a 72 hour Completion Time for one inoperable containment spray train (Condition A) and a 72 hour Completion Time for one inoperable containment cooling train (Condition B). Conditions A and B have a second Completion Time of 6 days from discovery of failure to meet the LCO. Restoring either one of the two inoperable conditions, i.e. either the inoperable containment spray train for Condition A or the inoperable containment cooling train for Condition B, would result in exiting that Condition. The second Completion Time is limiting if multiple entries into and out of these Conditions result in an indefinite period of time without meeting the LCO.

3.1.2 Auxiliary Feedwater System

TS 3.7.5, Auxiliary Feedwater System (AFW) System, has a 7-day Completion Time for one inoperable steam supply to a turbine-driven AFW pump (Condition A) and a 72-hour Completion Time for one AFW train inoperable for reasons other than Condition A (Condition B). Conditions A and B have a second Completion Time of 10 days from discovery of failure to meet the LCO. Restoring either one of the two inoperable conditions, i.e. either the inoperable steam supply for Condition A or the inoperable AFW train for Condition B, would result in exiting that Condition. The second Completion Time is limiting if multiple entries into and out of these Conditions results in an indefinite period of time without meeting the LCO.

3.1.3 AC Sources - Operating

TS 3.8.1, AC Sources - Operating, has a 72-hour Completion Time for one required offsite circuit inoperable (Condition A) and a 14-day Completion Time for one diesel generator inoperable (Condition B). Condition A has a second Completion Time of 14 days from discovery of failure to meet the LCO. If Condition A or B is entered, and before that inoperable system is restored, the other Condition is entered, then Condition E applies, which is both Condition A and B inoperable, and plant operation is limited to 12 hours. Should either inoperable Condition be restored, that Condition and Condition E is exited. The second Completion Time is limiting if repetitive entry into the previously restored Conditions results in the LCO not being met for an extended period of time.

3.1.4 Distribution Systems – Operating

TS 3.8.9, Distribution Systems - Operating, has an 8-hour Completion Time for one or more inoperable AC electrical power distribution subsystems (Condition A), a 2-hour Completion Time for one or more inoperable AC vital bus electrical power distribution subsystems (Condition B), and a 2-hour Completion Time for one or more inoperable direct current (DC) electrical power distribution subsystems (Condition C). Conditions A, B, and C have a second Completion Time of 16 hours from discovery of failure to meet the LCO. The second Completion Time limits plant operations from any potential allowed outage time extensions if a Condition in this LCO is entered, but before the Completion Time for that Condition is passed, a second different Condition is entered; and again, before the Completion Time for the second Condition is passed, the first Condition is entered again.

3.1.5 TS Example 1.3-3

Licensee proposes a revision to TS Example 1.3-3 to eliminate the second completion time for Required Actions A.1 and B.1 and to replace the discussion regarding second completion time with the following:

It is possible to alternate between Conditions A, B, and C in such a manner that operation could continue indefinitely without ever restoring systems to meet the LCO. However, doing so would be inconsistent with the basis of the completion times. Therefore, there shall be administrative controls to limit the maximum time allowed for any combination of Conditions that result in a single contiguous occurrence of failing to meet the LCO. These administrative controls shall ensure that the completion times for those Conditions are not inappropriately extended.

3.2 Evaluation

Additional secondary completion times (such as limits on the period of time from discovery of the failure to meet the LCOs discussed above) were specified to prevent repeated entry and exit from alternating TS Required Actions. In its supplement dated December 6, 2012, the licensee states that it has an action in its corrective action program to revise operations procedure titled, "Recording Limiting Conditions for Operations," to include the following statement, "Alternating between LCO Conditions, in order to allow indefinite continued operation while not meeting the LCO, is not allowed." The licensee also states that the procedure will be revised prior to implementation of the proposed TS change.

The revised discussion addresses the NRC staff's concern the deletion of the second Completion Times could result in indefinite operation without restoration of the systems. The Maintenance Rule requires licensees to monitor the performance or conditions of SSCs in a manner sufficient to provide reasonable assurances that SSCs are capable of fulfilling their intended function. The Maintenance Rule provides a strong disincentive to the licensee continuing to operate without restoring systems. The Licensee's application states the following regarding the Maintenance Rule:

Under 10 CFR 50.65(a)(4), the risk impact of all inoperable risk-significant equipment is assessed and managed when performing preventative or corrective maintenance. The risk assessments are conducted using the procedures and guidance endorsed by Regulatory Guide 1.182, "Assessing and Managing Risk before Maintenance Activities at Nuclear Power Plants." Regulatory Guide 1.182 endorses the guidance in Section 11 of NUMARC 93-01, "Industry Guidelines for Monitoring the Effectiveness of Maintenance at Nuclear Power Plants." These documents address general guidance for conduct of the risk assessment, quantitative and qualitative guidelines for establishing risk management actions, and example risk management actions. These include actions to plan and conduct other activities in a manner that controls overall risk, increased risk awareness by shift and management personnel, actions to reduce the duration of the condition, actions to minimize the magnitude of risk increases (establishment of backup success paths or compensatory measures), and determination that the proposed maintenance is acceptable...

Prior to 10 CFR 50.65, TSs primarily governed operations, including what equipment must normally be in service, how long equipment can be out of service, compensatory actions, and surveillance testing to demonstrate equipment readiness. The goal of TSs is to provide adequate assurance of the availability and reliability of equipment needed to prevent, and if necessary mitigate, accidents and transients. The maintenance rule supports this same goal by requiring a comprehensive process for performance and condition monitoring activities.

Under 10 CFR 50.65, the licensee assesses and manages the inoperable equipment; however, the rule also considers all inoperable risk-significant equipment. Under the TSs, the Completion Time for one system within a LCO is not generally affected by inoperable equipment in another LCO. However, the second Completion Time influenced the Completion Time for one system based on the condition of another system, but only if the two systems were required by the same LCO.

Plant Maintenance Rule programs implement risk-based configuration management programs that augment the deterministic Completion Times in the TSs. The performance and condition monitoring activities required by 10 CFR 50.65 identify poor maintenance practices that would result from multiple entries into the Actions of the TSs which would contribute to unacceptable unavailability of these SSCs.

Based on the above, the NRC staff concludes that multiple, continuous entries into TS Conditions, without meeting the LCO, will be adequately controlled by (1) the licensee's administrative controls and operations procedure which will not allow indefinite continued operation while not meeting the LCO, (2) the configuration risk management programs implemented to meet the Maintenance Rule requirements to assess and manage risk, and (3) the requirements of Section 1.3 of the TS "Completion Times." In addition, the NRC staff finds that compliance with the Maintenance Rule provides adequate assurance against inappropriate use of combinations of TS Conditions that result in a single contiguous occurrence of failing to meet the LCO. Accordingly, consistent with TSTF-439, the NRC staff finds the proposed changes to delete the second completion times and other change, as discussed in section 3.1.5 above, to be acceptable.

3.3 Proposed Administrative Change

The licensee proposes to delete a footnote that had been added to TS 3.6.6 on June 23, 2008, by Amendment Number 131 to the VEGP Unit 2 TS, "Vogtle Electric Generating Plant, Unit 2, Issuance of Emergency Amendment Regarding One-Time Extension to Allowed Outage time for Technical Specification 3.6.6 (TAC No. MD9003.)" The footnote states, "For the VEGP Unit 2 June 23, 2008, entry into Technical Specification 3.6.6, the Containment Spray Pump B may be inoperable for a period not to exceed 7 days." The licensee's application states the following regarding the proposed administrative change:

TS Condition 3.6.6.A was modified via a one-time emergency TS change for a specific date of entry, June 23, 2008. As a result of the completed work on the system, it is no longer necessary to retain the note in TS 3.6.6.

3.3.1 Evaluation

The Completion Time for TS 3.6.6 Condition A was modified by a footnote that could only be used once on June 23, 2008. This note expired when the June 23, 2008 entry into TS 3.6.6 was exited, and it is no longer necessary to retain it at the bottom of page 3.6.6-1 of the TS. Because the expired footnote is not applicable to current operations, the NRC staff finds that removal of the outdated footnote is administrative in nature and is acceptable.

5.0 ENVIRONMENTAL CONSIDERATION

The amendments change a requirement with respect to the installation or use of facility components located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendments involve no significant increase in the amounts and no significant change in the types of any effluents that may be released offsite and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding (77 FR 73690, December 11, 2012). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: K. Bucholtz

Date of issuance: April 24, 2013

April 24, 2013

Mr. C. R. Pierce
Regulatory Affairs Director
Southern Nuclear Operating Company, Inc.
Post Office Box 1295, Bin - 038
Birmingham, AL 35201-1295

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2, ISSUANCE OF AMENDMENTS REGARDING ADOPTION OF TSTF-439, "ELIMINATE SECOND COMPLETION TIMES LIMITING TIME FROM DISCOVERY OF FAILURE TO MEET AN LCO" (TAC NOS. ME9470 AND ME9471)

Dear Mr. Pierce:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 169 to Renewed Facility Operating License NPF-68 and Amendment No. 151 to Renewed Facility Operating License NPF-81 for the Vogtle Electric Generating Plant (VEGP), Units 1 and 2, in response to your letters dated August 31 and December 6, 2012. The amendments revise VEGP Technical Specifications (TSs) 3.6.6, 3.7.5, 3.8.1, 3.8.9, and TS Example 1.3-3 by eliminating second completion times from the TSs in accordance with TS Task Force Traveler (TSTF)-439, "Eliminate Second Completion Times Limiting Time from Discovery of Failure to Meet an LCO [Limiting Condition for Operation]." In addition, the amendment makes an administrative change to TS 3.6.6 by removing an obsolete note associated with Condition A.

A copy of the related Safety Evaluation is also enclosed. A Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

/RA/

Robert E. Martin, Senior, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-424 and 50-425

Enclosures:

1. Amendment No. 169 to NPF-68
2. Amendment No. 151 to NPF-81
3. Safety Evaluation

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* via memo dated April 19, 2013

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