

January 29, 2014

MEMORANDUM TO: Lawrence J. Burkhart, Chief  
Licensing Branch 4 (LB4)  
Division of New Reactor Licensing  
Office of New Reactors

FROM: Anthony Minarik, Project Manager */RA/*  
Licensing Branch 4 (LB4)  
Division of New Reactor Licensing  
Office of New Reactors

SUBJECT: SUMMARY OF PUBLIC MEETING WITH SOUTHERN NUCLEAR  
COMPANY AND SOUTH CAROLINA ELECTRIC & GAS ON  
JANUARY 9, 2014

The U.S. Nuclear Regulatory Commission (NRC) held a Category 2 public meeting with Southern Nuclear Operating Company (SNC) and South Carolina Electric & Gas (SCE&G) to discuss licensing actions related to the Vogtle Electric Generating Plant (VEGP) Units 3 and 4 on January 9, 2014. The topic of this discussion was an SNC response to a staff request for additional information (RAI) related to License Amendment Request (LAR) 13-008: Fire Area Boundaries (LAR 13-008).

Enclosures 1 and 2 are the meeting agenda and attendance list for the meeting. The Agencywide Documents Access Management System (ADAMS) Accession Number of SNC's submittal of LAR 13-008 is ML13116A021. The ADAMS Accession Number of SNC's Supplemental Response to the staff's RAI is ML13326A975.

CONTACT: Anthony Minarik, NRO/DNRL  
(301) 415-6185

Summary of Meeting:

On January 9, 2014, staff from the NRC conducted a public meeting with members of the public and representatives from SNC and SCE&G to discuss SNC's response to a staff RAI. The staff acknowledged that the physical security program has implementation milestones associated with construction, but asked the representatives from SNC if they could clarify a process in place that checked the safety/security interface of licensing basis changes. In other words, if they had a process that ensured any licensing basis changes were evaluated for how they could potentially affect physical security of the plant, or the physical security program, as is required of operating reactors under Title 10 of the *Code of Federal Regulations* (10 CFR) Section 73.58. The licensee responded that the change process includes a portion that checks for the safety/security interface. The staff then asked SNC to clarify their statements in the request that said they had "not yet implemented ... the safety/security interface process." SNC responded that these statements were intended to mean that their process is not what would be considered a "full-blown" Section 73.58 process. The staff responded that their other question in the RAI, was related in that they needed clarification on what standard and criteria the licensee was using to make the determinations on whether or not there was a safety/security impact in their licensing basis changes. The staff told SNC that they would coordinate with them with respect to gaining additional clarity on this process in order to aid their review of the LAR and change process in general.

An additional staff consideration was the licensee statements that 10 CFR 73.58 was not applicable to them because Vogtle Units 3 & 4 are not operating reactors. The staff responded that they did not agree that SNC's interpretation of 10 CFR 73.58 was correct, but they would consult with the Office of General Counsel on the matter. In defense of the staff's statements they brought up the Statement of Consideration issued along with the rule which stated that Section 73.58 applied to "all plants with an operating license under Part 50 or Part 52." No decisions or regulatory positions were made with respect to this discussion.

The NRC then asked members of the public to provide comments and questions to the staff. Ms. Sara Barczak of Southern Alliance for Clean Energy asked what the next step in the process would be for this LAR, and the staff responded that while they expect an officially revised submittal to come in regarding this LAR, they have not yet decided what path or regulatory tool to use in order to address their concerns on the topics discussed. They also stated that it is likely there would be another public discussion regarding this topic and LAR.

Docket Nos.: 052-025  
052-026  
052-027  
052-028

Enclosures:  
As stated

cc w/encls: See next page

Summary of Meeting:

On January 9, 2014, staff from the NRC conducted a public meeting with members of the public and representatives from SNC and SCE&G to discuss SNC's response to a staff RAI. The staff acknowledged that the physical security program has implementation milestones associated with construction, but asked the representatives from SNC if they could clarify a process in place that checked the safety/security interface of licensing basis changes. In other words, if they had a process that ensured any licensing basis changes were evaluated for how they could potentially affect physical security of the plant, or the physical security program, as is required of operating reactors under Title 10 of the *Code of Federal Regulations* (10 CFR) Section 73.58. The licensee responded that the change process includes a portion that checks for the safety/security interface. The staff then asked SNC to clarify their statements in the request that said they had "not yet implemented ... the safety/security interface process." SNC responded that these statements were intended to mean that their process is not what would be considered a "full-blown" Section 73.58 process. The staff responded that their other question in the RAI, was related in that they needed clarification on what standard and criteria the licensee was using to make the determinations on whether or not there was a safety/security impact in their licensing basis changes. The staff told SNC that they would coordinate with them with respect to gaining additional clarity on this process in order to aid their review of the LAR and change process in general.

An additional staff consideration was the licensee statements that 10 CFR 73.58 was not applicable to them because Vogtle Units 3 & 4 are not operating reactors. The staff responded that they did not agree that SNC's interpretation of 10 CFR 73.58 was correct, but they would consult with the Office of General Counsel on the matter. In defense of the staff's statements they brought up the Statement of Consideration issued along with the rule which stated that Section 73.58 applied to "all plants with an operating license under Part 50 or Part 52." No decisions or regulatory positions were made with respect to this discussion.

The NRC then asked members of the public to provide comments and questions to the staff. Ms. Sara Barczak of Southern Alliance for Clean Energy asked what the next step in the process would be for this LAR, and the staff responded that while they expect an officially revised submittal to come in regarding this LAR, they have not yet decided what path or regulatory tool to use in order to address their concerns on the topics discussed. They also stated that it is likely there would be another public discussion regarding this topic and LAR.

Docket Nos.: 052-025  
052-026  
052-027  
052-028

Enclosures:  
As stated

cc w/encls: See next page

DISTRIBUTION:

PUBLIC	DMcGovern	CAbbot	JFuller	JFrost	JMartin
RidsNroLB4	RJoshi	AMinarik	RGoel	TFredette	MBrown
RidsOGCMailCenter	LBurkhart	JPetrucelli			

ADAMS ACCESSION NO.: ML14010A401 \*via e-mail NRC-002

OFFICE	LA:DNRL/LB4	PM:DNRL/LB4	BC:DNRL/LB4
NAME	RButler	AMinarik	LBurkhart
DATE	1/28/14	1/29/14	1/29/14

**OFFICIAL RECORD COPY**

**AGENDA FOR PUBLIC MEETING**

**U.S. NUCLEAR REGULATORY COMMISSION (NRC)**

**Thursday, January 9, 2014**

**9:00 a.m. – 10:45 a.m.**

**PURPOSE:** To discuss resolution of issues to support the safety review of licensing actions for Southern Nuclear Operating Company's (SNC) Vogtle Electric Generating Plant, Units 3 and 4 and South Carolina Electric & Gas' (SCE&G) Virgil C. Summer Nuclear Station, Units 2 and 3.

**OPEN**

<u>Time</u>	<u>Topic</u>	<u>Led By</u>
9:00 a.m.	Opening Remarks	NRC
9:05 a.m.	Discussion of SNC Response LAR 13-008S	NRC/SNC
9:35 a.m.	Opportunity for Public Comment	PUBLIC
9:40 a.m.	Conclusion/Document Actions	NRC
10:45 a.m.	Adjourn	

**LIST OF MEETING ATTENDEES**  
**Thursday, January 9, 2014**

Nuclear Regulatory Commission (NRC)

D. McGovern  
L. Burkhart  
J. Frost  
J. Petrucelli  
A. Minarik  
D. Jaffe

Southern Nuclear Operating Company\*

B. Meadors  
W. Smith  
E. Grant  
N. Haggerty  
T. Amundson  
A. Aughtman  
D. Shipman  
G. Sams

South Carolina Electric & Gas\*

J. Ezell  
J. Bouknight  
D. Kersey  
A. Rice  
J. Harrison  
D. Reed  
B. McIntyre

Westinghouse Electric Company\*

M. Sleigh  
J. Ford  
T. Ray

Public\*

T. Fay – Fluor  
S. Barczak – Southern Alliance for Clean  
Energy  
B. Jacobs – Georgia Public Service  
Commission  
M. Seamen-Huynh – South Carolina Office  
of Regulatory Staff  
R. Thomas – Environmentalists, Inc.

\* = joined by teleconference

Enclosure 2

Vogtle Units 3 & 4 Mailing List  
cc:

(Revised 01/06/2014)

Resident Manager  
Oglethorpe Power Corporation  
Alvin W. Vogtle Nuclear Plant  
7821 River Road  
Waynesboro, GA 30830

Stephen E. Kuczynski  
Chairman, President and CEO  
Southern Nuclear  
P.O. Box 1295  
Birmingham, AL 35201

Office of the Attorney General  
40 Capitol Square, SW  
Atlanta, GA 30334

Mr. Reece McAlister  
Executive Secretary  
Georgia Public Service Commission  
Atlanta, GA 30334

Southern Nuclear Op. Co.  
Document Control Coordinator  
42 Inverness Center parkway  
Attn: B236  
Birmingham, AL 35242

Mr. Joseph A. (Buzz) Miller  
Executive Vice President  
Southern Nuclear Operating Company  
241 Ralph McGill Blvd.  
BIN 10240  
Atlanta, GA 30308-3374

Anne F. Appleby  
Oglethorpe Power Corporation  
2100 East Exchange Place  
Tucker, GA 30084

Resident Inspector  
Plant Vogtle 3&4  
7825 River Road  
Waynesboro, GA 30830

County Commissioner  
Office of the County Commissioner  
Burke County Commission  
Waynesboro, GA 30830

Elaine Sikes  
Burke County Library  
130 Highway 24 South  
Waynesboro, GA 30830

Mr. James C. Hardeman  
Environmental Radiation Program Manager  
Environmental Protection Division  
Georgia Dept. of Natural Resources  
4220 International Pkwy, Suite 100  
Atlanta, GA 30354-3906

Mr. Jerry Smith  
Commissioner  
District 8  
Augusta-Richmond County Commission  
1332 Brown Road  
Hephzibah, GA 30815

B. L. Ivey  
VP, Regulatory Affairs  
Southern Nuclear Operating Company  
40 Inverness Center Parkway, B022  
Birmingham, AL 35242

Gene Stilp  
1550 Fishing Creek Valley Road  
Harrisburg, PA 17112

Rita Kilpatrick  
250 Arizona Ave.  
Atlanta, GA 30307

Mr. Robert E. Sweeney  
IBEX ESI  
4641 Montgomery Avenue  
Suite 350  
Bethesda, MD 20814

Vogle Units 3 & 4 Mailing List

George B. Taylor, Jr.  
2100 East Exchange Pl  
Atlanta, GA 30084-5336

## Vogle Units 3 & 4 Mailing List

### Email

agaughtm@southernco.com (Amy Aughtman)  
agbaker@southernco.com (Ann Baker)  
awc@nei.org (Anne W. Cottingham)  
bhwhitle@southernco.com (Brian Whitley)  
Bill.Jacobs@gdsassociates.com (Bill Jacobs)  
blivey@southernco.com (Pete Ivey)  
bob.masse@opc.com (Resident Manager)  
bwwaites@southernco.com (Brandon Waites)  
chmahan@southernco.com (Howard Mahan)  
cmeadors@southernco.com (Brian Meadors)  
collinlj@westinghouse.com (Leslie Collins)  
courtney@georgiawand.org (Courtney Hanson)  
crpierce@southernco.com (C.R. Pierce)  
csguinn@southernco.com (Candace Guinn)  
cwaltman@roe.com (C. Waltman)  
dahjones@southernco.com (David Jones)  
danawill@southernco.com (Dana Williams)  
david.hinds@ge.com (David Hinds)  
david.lewis@pillsburylaw.com (David Lewis)  
david.siefken@hq.doe.gov (David Siefken)  
delongra@westinghouse.com (Rich DeLong)  
dgbost@southernco.com (Danny Bost)  
dlfulton@southernco.com (Dale Fulton)  
drculver@southernco.com (Randy Culver)  
ed.burns@earthlink.net (Ed Burns)  
edavis@pegasusgroup.us (Ed David)  
erg-xl@cox.net (Eddie R. Grant)  
G2NDRMDC@southernco.com (SNC Document Control)  
james1.beard@ge.com (James Beard)  
jamiller@southernco.com (Buzz Miller)  
jbtomase@southernco.com (Janice Tomasello)  
jenmorri@southernco.com (Jennifer Buettner)  
jim@ncwarn.org (Jim Warren)  
jlhall@southernco.com (Jennifer Hall)  
Joseph\_Hegner@dom.com (Joseph Hegner)  
jranalli@meagpower.org (Jerry Ranalli)  
jrjohnso@southernco.com (Randy Johnson)  
jtgasser@southernco.com (Jeff Gasser)  
karen.patterson@ttnus.com (Karen Patterson)  
karlg@att.net (Karl Gross)  
Katherine.Janik@Hq.Doe.Gov (Katherine Janik)  
kim.haynes@opc.com (Kim Haynes)  
kmseiber@southernco.com (Kristin Seibert)  
KSutton@morganlewis.com (Kathryn M. Sutton)

## Vogle Units 3 & 4 Mailing List

kwaugh@impact-net.org (Kenneth O. Waugh)  
lchandler@morganlewis.com (Lawrence J. Chandler)  
ldperry@southernco.com (Leigh D. Perry)  
maria.webb@pillsburylaw.com (Maria Webb)  
markus.popa@hq.doe.gov (Markus Popa)  
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)  
mcintyba@westinghouse.com (Brian McIntyre)  
mdrauckh@southernco.com (Mark Rauckhorst)  
media@nei.org (Scott Peterson)  
Melissa.Smith@Hq.Doe.Gov (Melissa Smith)  
mike.price@opc.com (M.W. Price)  
MSF@nei.org (Marvin Fertel)  
nirsnet@nirs.org (Michael Mariotte)  
nlhender@southernco.com (Nancy Henderson)  
Nuclaw@mindspring.com (Robert Temple)  
patriciaL.campbell@ge.com (Patricia L. Campbell)  
Paul@beyondnuclear.org (Paul Gunter)  
pbessette@morganlewis.com (Paul Bessette)  
randall@nexusamllc.com (Randall Li)  
rhenry@ap.org (Ray Henry)  
RJB@NEI.org (Russell Bell)  
russpa@westinghouse.com (Paul Russ)  
rwink@ameren.com (Roger Wink)  
sabinski@suddenlink.net (Steve A. Bennett)  
sblanton@balch.com (Stanford Blanton)  
sfrantz@morganlewis.com (Stephen P. Frantz)  
sjackson@meagpower.org (Steven Jackson)  
skauffman@mpr.com (Storm Kauffman)  
skuczyns@southernco.com (Steve Kuczynski)  
sroetger@psc.state.ga.us (Steve Roetger)  
stephan.moen@ge.com (Stephan Moen)  
taterrel@southernco.com (Todd Terrell)  
tlubnow@mpr.com (Tom Lubnow)  
Tom.Bilik@nrc.gov (Thomas Bilik)  
TomClements329@cs.com (Tom Clements)  
Vanessa.quinn@dhs.gov (Vanessa Quinn)  
Wanda.K.Marshall@dom.com (Wanda K. Marshall)  
wasparkm@southernco.com (Wesley A. Sparkman)  
wayne.marquino@ge.com (Wayne Marquino)  
weave1dw@westinghouse.com (Doug Weaver)

COL SCE&G – VC Summer Mailing List  
cc:

(Revised 10/30/2013)

Mr. Jeffrey B. Archie  
Sr. Vice President, Nuclear Operations  
South Carolina Electric & Gas Company  
MC D304  
220 Operation Way  
Cayce, SC 29033-3172

Chairman  
Fairfield County Council  
Drawer 60  
Winnsboro, SC 29180

Ms. Shannon Bowyer Hudson  
Office of Regulatory Staff  
State of South Carolina  
1401 Main Street  
Suite 900  
Columbia, SC 29201

Mr. George McKinney  
Director  
South Carolina EMD  
1100 Fish Hatchery Road  
West Columbia, SC 29172

Ms. Gidget Stanley-Banks  
Director  
Allendale County EPA  
426 Mullberry Street  
Allendale, SC 29810

## COL SCE&G – VC Summer Mailing List

### Email

abynum@scana.com (Al Bynum)  
amonroe@scana.com (Amy Monroe)  
APAGLIA@Scana.com (Al Paglia)  
APH@NEI.org (Adrian Heymer)  
April.Rice@scana.com (April Rice)  
arice@scana.com (April R. Rice)  
awc@nei.org (Anne W. Cottingham)  
bedforbj@westinghouse.com (Brian Bedford)  
Bill.Jacobs@gdsassociates.com (Bill Jacobs)  
charles.baucom@cbi.com (Charles T. Baucom)  
christina.barnett@scana.com (Christina Barnett)  
collinlj@westinghouse.com (Leslie Collins)  
CumminWE@Westinghouse.com (Edward W. Cummins)  
cwaltman@roe.com (C. Waltman)  
david.lewis@pillsburylaw.com (David Lewis)  
DCRM-EDMS@SCANA.COM  
delongra@westinghouse.com (Rich DeLong)  
dgriffin@scana.com (Donna S. Griffin)  
ed.burns@earthlink.net (Ed Burns)  
ewingja@westinghouse.com (Jerrod Ewing)  
fbelser@regstaff.sc.gov  
hutchiwe@westinghouse.com (William Hutchins)  
jarchie@scana.com (Jeffrey B. Archie)  
jenkinse@dhec.sc.gov (Susan Jenkins)  
jflitter@regstaff.sc.gov  
Joseph\_Hegner@dom.com (Joseph Hegner)  
karlg@att.net (Karl Gross)  
kinneyrw@dhec.sc.gov (Ronald Kinney)  
KSutton@morganlewis.com (Kathryn M. Sutton)  
kwaugh@impact-net.org (Kenneth O. Waugh)  
lchandler@morganlewis.com (Lawrence J. Chandler)  
maria.webb@pillsburylaw.com (Maria Webb)  
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)  
mcintyba@westinghouse.com (Brian McIntyre)  
media@nei.org (Scott Peterson)  
MSF@nei.org (Marvin Fertel)  
nirsnet@nirs.org (Michael Mariotte)  
Nuclaw@mindspring.com (Robert Temple)  
patriciaL.campbell@ge.com (Patricia L. Campbell)  
Paul@beyondnuclear.org (Paul Gunter)  
pbessette@morganlewis.com (Paul Bessette)  
porterhj@dhec.sc.gov (Henry Porter)  
randall@nexusamllc.com (Randall Li)

COL SCE&G – VC Summer Mailing List

RJB@NEI.org (Russell Bell)  
Ronald.Jones@scana.com (Ronald Jones)  
russpa@westinghouse.com (Paul Russ)  
rwink@ameren.com (Roger Wink)  
sabinski@suddenlink.net (Steve A. Bennett)  
sburdick@morganlewis.com (Stephen Burdick)  
sbyrne@scana.com (Stephen A. Byrne)  
sfrantz@morganlewis.com (Stephen P. Frantz)  
shudson@regstaff.sc.gov (Shannon Hudson)  
stephan.moen@ge.com (Stephan Moen)  
TGATLIN@scana.com (Thomas Gatlin)  
threatsj@dhec.sc.gov (Sandra Threatt)  
tom.miller@hq.doe.gov (Tom Miller)  
TomClements329@cs.com (Tom Clements)  
Vanessa.quinn@dhs.gov (Vanessa Quinn)  
vcsnrc@scana.com (NRC Senior Resident Inspector)  
Wanda.K.Marshall@dom.com (Wanda K. Marshall)  
weave1dw@westinghouse.com (Doug Weaver)  
William.Cherry@scana.com (William Cherry)  
wmcherry@santeecooper.com (Marion Cherry)