SOUTH CAROLINA ELECTRIC AND GAS COMPANY

SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

DOCKET NO. 52-028

VIRGIL C. SUMMER NUCLEAR STATION UNIT 3

EXEMPTION FROM REGULATIONS SET FORTH IN

APPENDIX D OF 10 CFR PART 52

Exemption
License No. NPF-94

1. In a letter dated May 20, 2014 and as supplemented by the letters dated June 3, November 6, and November 14, 2014, South Carolina Electric & Gas Company (licensee) requested from the Nuclear Regulatory Commission (Commission) an exemption to allow departures from Tier 1 information in the certified Design Control Document (DCD) incorporated by reference in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, Appendix D, "Design Certification Rule for the AP1000 Design," as part of license amendment request (LAR) 13-42, "Tier 1 Editorial and Consistency Changes."

   For the reasons set forth in Section 3.1 of the NRC staff's Safety Evaluation, which can be found at Agencywide Documents Access and Management System (ADAMS) Accession Number ML143454B029, the Commission finds that:

   A. the exemption is authorized by law;

   B. the exemption presents no undue risk to public health and safety;

   C. the exemption is consistent with the common defense and security;

   D. special circumstances are present in that the application of the rule in this circumstance is not necessary to serve the underlying purpose of the rule;

   E. the special circumstances outweigh any decrease in safety that may result from the reduction in standardization caused by the exemption; and

   F. the exemption will not result in a significant decrease in the level of safety otherwise provided by the design.

2. Accordingly, the licensee is granted an exemption from the certified DCD Tier 1 Figures 2.2.4-1, 3.3-1 through 10, 3.3-11A, 3.3-11B, and 3.3-12 through 14; Tables 2.2.2-3, 2.2.3-4, 2.2.3-6, 2.2.4-1, 2.2.4-4, 2.2.5-5, 2.3.2-2, 2.3.6-1, 2.3.6-4, 2.3.10-1, 2.3.10-4, 2.3.14-2, 2.6.3-3, 2.6.3-4, 3.3-1, 3.3-6, 2.1.3-4, 2.5.1-2 and 3.7-2; and Sections 2.6.3 and 3.3, as described in the licensee's request dated May 20, 2014 and supplemented on June 3, November 6, and November 14, 2014. This exemption is related to, and necessary for the granting of License Amendment No. 23, which is being issued concurrently with this exemption.

3. As explained in Section 5.0 of the NRC staff's Safety Evaluation (ADAMS Accession Number ML14345B029), this exemption meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment needs to be prepared in connection with the issuance of the exemption.

4. This exemption is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION:

/RA by MDelligatti for/

Frank M. Akstulewicz, Director
Division of New Reactor Licensing
Office of New Reactors

Date of Issuance: March 10, 2015