

October 3, 2016

EA-16-163

Mr. C. R. Pierce
Southern Nuclear Operating Company, Inc.
40 Inverness Center Parkway
Post Office Box 1295
Birmingham, AL 35242

SUBJECT: EDWIN I. HATCH NUCLEAR PLANT, UNIT NOS. 1 AND 2 - CONFIRMATORY ORDER

Dear Mr. Pierce:

On October 4, 2013, Southern Nuclear Operating Company, Inc. (SNC) submitted to the U.S. Nuclear Regulatory Commission (NRC) its letter of intent to adopt National Fire Protection Association (NFPA) Standard 805, "NFPA 805, Performance-Based Standard for Fire Protection for Light-Water Reactor Electric Generation Plants," at its Edwin I. Hatch Nuclear Plant, Unit Nos. 1 and 2 (HNP) (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13280A299). By letter dated December 2, 2013 (ADAMS Accession No. ML13322B259), the NRC acknowledged this request, and informed HNP that enforcement discretion for certain fire protection noncompliances at HNP would be granted until October 4, 2016.

In a public meeting held on June 21, 2016 (ADAMS Accession No. ML16179A186), SNC described its progress for transitioning HNP to NFPA 805 and informed the NRC that an extension to its LAR submittal is needed to allow appropriate development of its Fire Probabilistic Risk Assessment model. In a letter dated July 6, 2016 (ADAMS Accession No. ML16188A341), SNC requested to extend its LAR submittal date 18 months from October 4, 2016, to April 4, 2018, by way of a Confirmatory Order (CO), in accordance with SECY-12-0031, "Enforcement Alternatives for Sites that Indicate Additional Time Required to Submit Their License Amendment Requests to Transition to 10 CFR 50.48(c) National Fire Protection Association Standard 805," dated February 24, 2012 (ADAMS Accession No. ML12025A349).

The enclosed CO memorializes the commitment made in the aforementioned SNC correspondence. SNC has agreed to this CO to illustrate its continued commitment to transition to NFPA 805. As evidenced by the signed "Consent and Hearing Waiver Form" (copy enclosed) dated September 22, 2016, SNC agreed to the issuance of this letter and the CO.

Pursuant to Section 223 of the Atomic Energy Act of 1954, as amended, any person who willfully violates, attempts to violate, or conspires to violate, any provision of this order shall be

subject to criminal prosecution as set forth in that section. Failure to comply with the terms of the CO will result in additional enforcement action up to, and including, daily civil penalties.

In accordance with 10 CFR 2.390, "Public inspections, exemptions, requests for withholding," a copy of this letter and its enclosure(s) will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. The NRC also includes significant enforcement actions on its Web site at (<http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/>).

Sincerely,

/RA/

Patricia K. Holahan, Director
Office of Enforcement

Docket Nos. 50-321 and 50-366
License Nos. DPR-57 and NPF-5

Enclosures:

1. Consent and Hearing Waiver Form
2. Confirmatory Order

cc w/ enclosure: Additional Distribution via Listserv

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