



April R. Rice  
Manager Nuclear Licensing  
New Nuclear Deployment

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NND-16-0490  
10 CFR 50.90  
10 CFR 52.98(f)

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Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3  
Combined License Nos. NPF-93 and NPF-94  
Docket Nos. 52-027 & 52-028

Subject: VCSNS Units 2 & 3 Request for License Amendment: Addition of Interim Amendment Request Process to License Condition 2.D.(1) (LAR 16-19)

Reference: 1. ND-16-1273, Southern Nuclear Operating Company, Vogtle Electric Generating Plant Units 3 and 4 Request for License Amendment: Addition of Interim Amendment Request Process to License Condition 2.D.(1) (LAR-16-015) (Accession Number ML16211A436)

In accordance with the provisions of 10 CFR 52.98(f) and 10 CFR 50.90, South Carolina Electric & Gas Company (SCE&G), on behalf of itself and the South Carolina Public Service Authority (Santee Cooper), requests an amendment to the Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3 combined license numbers NPF-93 and NPF-94, respectively. The requested amendment proposes to add to License Condition 2.D.(1) of the VCSNS Units 2 and 3 COLs an Interim Amendment Request process for changes during construction when emergent conditions are present.

This request arises from SCE&G's four years of experience with the change control processes outlined in 10 CFR Part 52, Appendix D, and from its experience with the *Interim Staff Guidance on Changes during Construction Under 10 CFR Part 52* (COL-ISG-025). As one of the first Part 52 licensees, SCE&G has identified an approach to alleviate some of the administrative burdens for both the NRC and the Licensee for certain changes during construction when emergent conditions are present.

The description, technical evaluation, regulatory evaluation (including the Significant Hazards Consideration determination), and environmental considerations for the proposed changes in this license amendment request are contained in Enclosure 1. Enclosure 2 provides the requested changes and provides markups depicting the requested changes to the VCSNS Units 2 and 3 COLs.

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SCE&G requests NRC staff approval of the license amendment by March 15, 2017, and would expect to implement the proposed amendment within thirty days of approval. This license amendment is not tied to any particular construction activity; however, any delay in the issuance would also delay the benefits. Southern Nuclear Operating Company (SNC) submitted a similar request in Reference 1, dated July 29, 2016, and has stated that the current requested approval date for Vogtle Electric Generating Plant (VEGP) Units 3 and 4 is November 15, 2016.

This letter contains no regulatory commitments.

In accordance with 10 CFR 50.91, SCE&G is notifying the State of South Carolina of this LAR by transmitting a copy of this letter and enclosures to the designated State Official.

Should you have any questions, please contact Mr. Nick Kellenberger by telephone at (803) 941-9834, or by email at [nicholas.r.kellenberger@scana.com](mailto:nicholas.r.kellenberger@scana.com).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 10<sup>th</sup> day of November, 2016.

Sincerely,



April R. Rice  
Manager, Nuclear Licensing  
New Nuclear Deployment

MRP/ARR/mrp

- Enclosure 1: Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3 – Request for License Amendment Regarding Addition of Interim Amendment Request Process to License Condition 2.D(1) (LAR 16-19)
- Enclosure 2: Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3 – Proposed Changes to Licensing Basis Documents (LAR 16-19)

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**South Carolina Electric and Gas (SCE&G)**

**NND-16-0490**

**Enclosure 1**

**Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3**

**Request for License Amendment Regarding Addition of  
Interim Amendment Request Process to License  
Condition 2.D.(1) (LAR 16-19)**

**(This Enclosure consists of 11 pages, including this cover page)**

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Enclosure 1

Request for License Amendment Regarding Addition of Interim Amendment Request Process  
to License Condition 2.D.(1) (LAR 16-019)

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Enclosure 1

Request for License Amendment Regarding Addition of Interim Amendment Request Process to License Condition 2.D.(1) (LAR 16-19)

Pursuant to 10 CFR 52.98(f) and in accordance with 10 CFR 50.90, South Carolina Electric and Gas (SCE&G), the licensee for Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3, requests an amendment to Combined License (COL) Numbers NPF-93 and NPF-94, for VCSNS Units 2 and 3, respectively.

## **1. Summary Description**

This license amendment request (LAR) proposes to add to Condition 2.D.(1) of the VCSNS 2 and 3 COLs an Interim Amendment Request (IAR) process to allow construction to continue at SCE&G's own risk, in emergent conditions when a non-conforming condition that has little to no safety significance is discovered and the work activity cannot be adjusted to allow construction to proceed until the non-conforming condition is resolved. In such emergent situations, SCE&G proposes to file an Interim Amendment Request with the NRC that includes an oath or affirmation, a description of the proposed change, a review of no significant hazards consideration determination (10 CFR 50.92), a review of categorical exclusion from environmental review (10 CFR 51.22(c)), and a Nuclear Construction Safety Assessment (NCSA). The NCSA would identify the scope of the proposed change, evaluate whether emergent conditions are present, evaluate whether the proposed change would result in any material decrease in safety, and evaluate whether continued construction would make the non-conforming condition irreversible. Upon review of the Interim Amendment Request, the NRC would issue a notification stating whether it had any objection to SCE&G proceeding with construction, at its own risk, while SCE&G prepares a request to use the PAR process along with the accompanying LAR, pursuant to COL-ISG-025 and Condition 2.D.(1)(a). The notification would remain in effect until the NRC makes its determination on the PAR request.

This enclosure requests approval of the license amendment necessary to add to Condition 2.D.(1) of the VCSNS 2 and 3 COLs.

## **2. Detailed Description**

Condition 2.D.(1) of the VCSNS 2 and 3 COLs, "Changes During Construction," effectuates the LAR/PAR process outlined in COL-ISG-025. The LAR/PAR process outlined in COL-ISG-025 was established "[f]or the purpose of maintaining license basis configuration control and in order to avoid unnecessary construction delays related to changes during construction . . ." COL-ISG-025 allows a licensee to use the LAR/PAR process "as a precursor to the normal LAR process" when the licensee determines that a proposed change or modification requires NRC approval. According to COL-ISG-025, "[t]he PAR process addresses anticipated plant changes and modification as well as emergent plant changes."

The LAR/PAR process has supported construction thus far. However, because the LAR/PAR process requires the NRC to accept the associated LAR for technical review prior to issuing a no-objection letter on the PAR, COL-ISG-025 does not adequately address emergent plant

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to License Condition 2.D.(1) (LAR 16-19)

changes. SCE&G is proposing to add a license condition that establishes a process to enable SCE&G to continue construction, at its own risk, in emergent situations, where a non-conforming condition is discovered that has little or no safety significance and the work activity cannot be adjusted, to allow construction to proceed until the non-conforming condition is resolved.

The proposed addition to Condition 2.D.(1) is set forth in Enclosure 2 to this LAR. This addition would add an Interim Amendment Request process. Use of the Interim Amendment Request process would be limited to situations where non-conforming conditions are identified during construction, and where a NCSA determination concludes that the proposed change would result in no material decrease in safety and that continued construction would not make the non-conforming condition irreversible. Each Interim Amendment Request would include 1) an oath or affirmation; 2) a description of the proposed change; 3) a review of no significant hazards consideration determination (10 CFR 50.92); 4) a review of categorical exclusion from environmental review (10 CFR 51.22(c)); and 5) a Nuclear Construction Safety Assessment (NCSA). Additionally, each Interim Amendment Request would identify the proposed duration of continued construction before SCE&G must request use of the PAR process by submitting a written request to the Office of New Reactors (NRO) in accordance with COL-ISG-025 and Condition 2.D.(1)(a) and the accompanying LAR.

Each NCSA would 1) identify the scope of the proposed change; 2) evaluate whether emergent conditions are present; 3) evaluate whether the proposed change would result in any material decrease in safety; and 4) evaluate whether continued construction would make the non-conforming condition irreversible. Emergent conditions would be defined as those that were not discovered until actual construction began and the work activity could not be adjusted to allow construction to proceed until the non-conforming condition was resolved. The evaluation of whether the proposed change would result in any material decrease in safety is based on 10 CFR 52, Appendix D, Section VIII.B.5.b, VIII.B.5.c, VIII.B.5.d, and 10 CFR 50.59(c)(2) and would consider whether the change would:

- 1) Result in more than a minimal increase in the frequency of occurrence of an accident previously evaluated in the plant-specific DCD or in the final safety analysis report (as updated);
- 2) Result in more than a minimal increase in the likelihood of occurrence of a malfunction of a structure, system, or component (SSC) important to safety and previously evaluated in the plant-specific DCD or in the final safety analysis report (as updated);
- 3) Result in more than a minimal increase in the consequences of an accident previously evaluated in the plant-specific DCD or in the final safety analysis report (as updated);
- 4) Result in more than a minimal increase in the consequences of a malfunction of an SSC important to safety previously evaluated in the plant-specific DCD or in the final safety analysis report (as updated);

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to License Condition 2.D.(1) (LAR 16-19)

- 5) Create a possibility for an accident of a different type than any evaluated previously in the plant-specific DCD or in the final safety analysis report (as updated);
  - 6) Create a possibility for a malfunction of an SSC important to safety with a different result than any evaluated previously in the plant-specific DCD or in the final safety analysis report (as updated);
  - 7) Result in a design basis limit for a fission product barrier as described in the plant-specific DCD or in the final safety analysis report (as updated) being exceeded or altered; or
  - 8) Result in a departure from a method of evaluation described in the plant-specific DCD or in the final safety analysis report (as updated) used in establishing the design bases or in the safety analyses.
  - 9) Result in a departure from the information required by 10 CFR 52.47(a)(28); and if so, whether the assessment requirements in 10 CFR 50.150(a)(1) would continue to be met.
- 10) Affect the resolution of an ex-vessel severe accident design feature identified in the plant-specific DCD, such that:
- (a) There is a substantial increase in the probability of an ex-vessel severe accident such that a particular ex-vessel severe accident previously reviewed and determined to be not credible could become credible; or
  - (b) There is a substantial increase in the consequences to the public of a particular ex-vessel severe accident previously reviewed.

To use the Interim Amendment Request process, SCE&G must provide prompt notification to the NRC. Additionally, any construction completed pursuant to an Interim Amendment Request no-objection letter would be entirely at the risk of SCE&G. If the associated LAR is subsequently denied, SCE&G must return the facility to its Current Licensing Basis.

The Interim Amendment Request process is not intended to supplant the current LAR/PAR process. Rather, the Interim Amendment Request process would result in a letter from the NRC stating whether it has any objection to SCE&G proceeding with the proposed change while SCE&G prepares a request to use the PAR process along with the accompanying LAR, pursuant to COL-ISG-025 and Condition 2.D.(1)(a). The notification would remain in effect until the NRC makes its determination on the PAR request. An NRC "No Objection" determination on the Interim Amendment Request would not be a pre-determination of "No Objection" on the future PAR. Additionally, the NRC "No Objection" determination of the Interim Amendment Request would not serve as pre-approval of the associated LAR on its technical merits, nor would the determination imply any NRC approval of the LAR. The NRC's Interim Amendment Request No-Objection letter would include an expiration date, after which construction for the scope of work covered in the Interim Amendment Request

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could not continue unless SCE&G submits a written request to NRC in accordance with COL-ISG-025 and Condition 2.D.(1)(a) and the accompanying LAR. If the LAR/PAR process is initiated in a timely manner, SCE&G may continue with the proposed change until NRC issues its written PAR notification. The Interim Amendment Request No-Objection letter would remain in effect through the NRC review process, until the NRC makes its determination on the PAR request. Upon NRC's issuance of its written PAR notification, NRC's Interim Amendment Request No-Objection letter would be terminated and continued construction would be subject to the NRC's written PAR notification. If SCE&G does not submit a written request to NRC in accordance with COL-ISG-025 and Condition 2.D.1(a) and the accompanying LAR prior to the expiration of the NRC's Interim Amendment Request No-Objection letter, SCE&G would be required to stop construction for the scope of work covered in the Interim Amendment Request.

### **3. Technical Evaluation**

SCE&G's proposal to add an Interim Amendment Request process to Condition 2.D.(1) of the VCSNS 2 and 3 COLs is not a modification, addition to, or removal of any plant structures, systems, or components (SSC). Further, the proposed amendment is not a change to procedures or method of control of the nuclear plant or any SSCs. Because the proposed amendment does not change the design, construction, or operation of any SSCs, it does not adversely affect any design function as described in the Updated Final Safety Analysis Report.

Rather, SCE&G proposes a process change, whereby SCE&G may seek a determination from the NRC that it has no objection to SCE&G continuing construction in emergent situations when certain criteria are met prior to submittal of a LAR/PAR pursuant to COL-ISG-025 or a LAR. Prior to any construction continuing under an Interim Amendment Request No-Objection letter, SCE&G must submit a NCSA determination, concluding that the proposed change will not result in any material decrease in safety and that continued construction would not make a non-conforming condition irreversible. The proposed change will be evaluated further subject to the review requirements for a LAR/PAR pursuant to COL-ISG-025 or a LAR. If the related LAR is subsequently denied, SCE&G would be required to return the plant to its current licensing basis.

### **4. Regulatory Evaluation**

#### **4.1 Applicable Regulatory Requirements/Criteria**

10 CFR 52.98(f) requires Nuclear Regulatory Commission (NRC) approval for any modification to, addition to, or deletion from the terms and conditions of a Combined License (COL). This proposal involves an addition to Condition 2.D.(1) of the VCSNS 2 and 3 COLs; therefore, NRC approval is required prior to the addition.

#### **4.2 Precedent**

The NRC issued COL-ISG-025, Interim Staff Guidance on Changes During Construction Under 10 CFR Part 52, to "avoid unnecessary construction delays related to changes during construction . . . arising after the issuance of the COL and before the 10 CFR

52.103(g) finding. . ." COL-ISG-025 sets up a license amendment request (LAR) preliminary amendment request (PAR) process through which a licensee can "request a notification that the NRC has no objection to the licensee installing and testing the proposed changed design feature pending NRC's review of the LAR." NRC's review of a PAR/LAR under COL-ISG-025 includes a review of the PAR's no significant hazards consideration determination, categorical exclusion from environmental review, and impact on Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC), as well as a verification that the PAR is accurately reflected in the LAR, to ensure the health and safety of the public and the common defense and security will be retained.

SCE&G's proposal would add a step to the existing LAR/PAR process to address emergent conditions. SCE&G's proposal to add an Interim Amendment Request would authorize construction to continue, at SCE&G's risk, while a LAR/PAR is being prepared, where the proposed change is determined to have no safety significance. SCE&G's proposal is consistent with the LAR/PAR process outlined in COL-ISG-025, allowing construction to continue in limited circumstances, where a NCSA determination is made that there is little to no impact to safety associated with the proposed change. Construction pursuant to an Interim Amendment Request No - Objection determination would continue only until the LAR/PAR process is initiated and NRC has taken some action on the LAR/PAR, in accordance with COL-ISG-025.

#### **4.3 Significant Hazards Consideration**

The proposed amendment would add an Interim Amendment Request process to Condition 2.D.(1) of the VCSNS 2 and 3 COLs. The Interim Amendment Request process would be limited to emergent situations and would be accompanied by a Nuclear Construction Safety Assessment (NCSA) which would evaluate: the scope of the proposed change, whether emergent conditions are present, whether the proposed change would result in any material decrease in safety, and whether continued construction would make the non-conforming condition irreversible.

An evaluation to determine whether or not a significant hazards consideration is involved with the proposed amendment was completed by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of amendment," as discussed below:

##### **4.3.1 Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?**

Response: No.

The proposed amendment would add an Interim Amendment Request process to Condition 2.D.(1) of the VCSNS 2 and 3 COLs to allow construction to continue, at SCE&G's own risk, in emergent conditions, where a non-conforming condition that has little or no safety significance is discovered and the work activity cannot be adjusted. The Interim Amendment Request process would require SCE&G to submit a Nuclear Construction Safety Assessment which 1) identifies the proposed change; 2) evaluates whether emergent conditions are present; 3) evaluates whether the change would result in any material decrease

decrease in safety; and 4) evaluates whether continued construction would make the non-conforming condition irreversible. Only if the continued construction would have no material decrease in safety would the NRC issue a determination that construction could continue pending SCE&G's initiation of the COL-ISG-025 PAR/LAR process. The requirement to include a Nuclear Construction Safety Assessment ensures that the proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated. If the continued construction would result a material decrease in safety, then continued construction would not be authorized.

The proposed amendment does not modify the design, construction, or operation of any plant structures, systems, or components (SSCs), nor does it change any procedures or method of control for any SSCs. Because the proposed amendment does not change the design, construction, or operation of any SSCs, it does not adversely affect any design function as described in the Updated Final Safety Analysis Report.

The proposed amendment does not affect the probability of an accident previously evaluated. Similarly, because the proposed amendment does not alter the design or operation of the nuclear plant or any plant SSCs, the proposed amendment does not represent a change to the radiological effects of an accident, and therefore, does not involve an increase in the consequences of an accident previously evaluated.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

**4.3.2 Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?**

Response: No.

The proposed amendment would add an Interim Amendment Request process to Condition 2.D.(1) of the VCSNS 2 and 3 COLs to allow construction to continue, at SCE&G's own risk, in emergent conditions, where a non-conforming condition that has little or no safety significance is discovered and the work activity cannot be adjusted. The Interim Amendment Request process would require SCE&G to submit a Nuclear Construction Safety Assessment which 1) identifies the proposed change; 2) evaluates whether emergent conditions are present; 3) evaluates whether the change would result in any material decrease in safety; and 4) evaluates whether continued construction would make the non-conforming condition irreversible. Only if the continued construction would have no material decrease in safety would NRC issue a determination that construction could continue pending SCE&G's initiation of the COL-ISG-025 PAR/LAR process.

The proposed amendment is not a modification, addition to, or removal of any plant SSCs. Furthermore, the proposed amendment is not a change to procedures or

method of control of the nuclear plant or any plant SSCs. The proposed amendment only adds a new screening process and does not change the design, construction, or operation of the nuclear plant or any plant operations.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from an accident previously evaluated.

**4.3.3 Does the proposed amendment involve a significant reduction in a margin of safety?**

Response: No.

The proposed amendment would add an Interim Amendment Request process to Condition 2.D.(1) of the VCSNS 2 and 3 COLs to allow construction to continue, at SCE&G's own risk, in emergent conditions, where a non-conforming condition that has little or no safety significance is discovered and the work activity cannot be adjusted. The Interim Amendment Request process would require SCE&G to submit a Nuclear Construction Safety Assessment which 1) identifies the proposed change; 2) evaluates whether emergent conditions are present; 3) evaluates whether the change would result in any material decrease in safety; and 4) evaluates whether continued construction would make the non-conforming condition irreversible. Only if the continued construction would have no material decrease in safety would the NRC issue determination that construction could continue pending SCE&G's initiation of the COL-ISG-025 PAR/LAR process.

The proposed amendment is not a modification, addition to, or removal of any plant SSCs. Furthermore, the proposed amendment is not a change to procedures or method of control of the nuclear plant or any plant SSCs. The proposed amendment does not alter any design function or safety analysis. Consequently, no safety analysis or design basis acceptance limit/criterion is challenged or exceeded by the proposed amendment, thus the margin of safety is not reduced. The only impact of this activity is the addition of an Interim Amendment Request process.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

Based on the above, it is concluded that the proposed amendment does not involve a significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified.

**4.4 Conclusions**

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

evaluations demonstrate that the requested changes can be accommodated without an increase in the probability or consequences of an accident previously evaluated, without creating the possibility of a new or different kind of accident from any accident previously evaluated, and without a significant reduction in a margin of safety.

Having arrived at negative declarations with regard to the criteria of 10 CFR 50.92, this assessment determined that the requested change does not involve a Significant Hazards Consideration.

## 5. Environmental Considerations

The details of the proposed changes are provided in Sections 2 and 3 of this licensing amendment request.

The proposed amendment would add an Interim Amendment Request process to Condition 2.D.(1) of the VCSNS 2 and 3 COLs. The Interim Amendment Request process would be limited to emergent situations and would be accompanied by a Nuclear Construction Safety Assessment which would evaluate: the scope of the proposed change, whether emergent conditions are present, whether the proposed change would result in any material decrease in safety, and whether continued construction would make the non-conforming condition irreversible.

A review has determined the proposed addition to the license condition requires an amendment to the COLs to amend Condition 2.D.(1) for Changes in Construction. However, facility construction and operation following implementation of the proposed amendment do not involve (i) a significant hazards consideration; (ii) a significant change in the types or a significant increase in the amounts of any effluents that may be released offsite; or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9), in that:

- (i) *There is no significant hazards consideration.*

As documented in Section 4.3, Significant Hazards Consideration, of this license amendment request, an evaluation was completed to determine whether or not a significant hazards consideration is involved by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of amendment." The Significant Hazards Consideration determined that (1) the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated; (2) the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated; and (3) the proposed amendment does not involve a significant reduction in a margin of safety. Therefore, it is concluded that the proposed amendment does not involve a significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and accordingly, a finding of "no significant hazards consideration" is justified.

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- (ii) *There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite.*

The proposed amendment only adds an Interim Amendment Request process; there is no physical change to the plant itself. The changes are unrelated to any aspects of plant construction or operation that would introduce any changes to effluent types (e.g., effluents containing chemicals or biocides, sanitary system effluents, and other effluents) or affect any plant radiological or non-radiological effluent release quantities. Hence, the proposed amendment does not affect any effluent release path or diminish the functionality of any design or operational features that are credited with controlling the release of effluents during plant operation.

Therefore, the proposed amendment does not involve a significant change in the types or a significant increase in the amounts of any effluents that may be released offsite.

- (iii) *There is no significant increase in individual or cumulative occupational radiation exposure.*

The proposed addition of an Interim Amendment Request process makes no physical change to the plant itself, nor does it affect how the plant is designed, constructed, or operated. Plant radiation zones (addressed in Section 12.3 of the Updated Final Safety Analysis Report) are not affected, and controls established under 10 CFR 20 to preclude a significant increase in occupational radiation exposure are not affected. Therefore, the proposed amendment does not involve a significant increase in individual or cumulative occupational radiation exposure.

Based on the above review of the proposed amendment, it has been determined that anticipated construction and operational effects of the proposed amendment do not involve (i) a significant hazards consideration, (ii) a significant change in the types or significant increase in the amounts of any effluents that may be released offsite, or (iii) a significant increase in the individual or cumulative occupational radiation exposure. Accordingly, the proposed amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22(b), an environmental impact statement or environmental assessment of the proposed amendment is not required.

**South Carolina Electric and Gas (SCE&G)**

**NND-16-0490**

**Enclosure 2**

**Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3**

**Proposed Changes to Licensing Basis Documents  
(LAR 16-19)**

**[The proposed changes to Combined Operating License (COL) Page 4 for VCSNS Unit 2 and Unit 3 identified in this Enclosure would be added as Pages 4-1, 4-2, and 4-3]**

**Note: Added text is denoted by blue text**

**(This Enclosure consists of 4 pages, including this cover page)**

D. The license is subject to, and SCE&G shall comply with, the conditions specified and incorporated below:

(1) Changes during Construction

- (a) SCE&G may request use of a preliminary amendment request (PAR) process, for license amendments, at any time before a Commission finding under 10 CFR 52.103(g). To use the PAR process, SCE&G shall submit a written request to the Office of New Reactors (NRO) in accordance with COL-ISG-025, "Changes during Construction under Part 52."
- (b) Before NRO's issuance of a written PAR notification, SCE&G shall submit the license amendment request (LAR). Thereafter, NRO will issue a written PAR notification, setting forth whether SCE&G may proceed in accordance with the PAR, LAR, and COL-ISG-025. If SCE&G elects to proceed and the LAR is subsequently denied, SCE&G shall return the facility to its current licensing basis.
- (c) SCE&G may request use of an interim amendment request (IAR) process, for license amendments, at any time before a Commission finding under 10 CFR 52.103(g) where the following emergent conditions are met:
  - 1. SCE&G identifies a condition, which if continued, would not conform to the current licensing basis; and
  - 2. The work activity cannot be adjusted to allow construction in the identified area to proceed while the condition is resolved.
- (d) Each IAR shall include:
  - 1. Oath or affirmation;
  - 2. Description of the proposed change;
  - 3. Review of no significant hazards consideration determination (10 CFR 50.92);
  - 4. Review of categorical exclusion from environmental review (10 CFR 51.22(c));
  - 5. Nuclear Construction Safety Assessment (NCSA); and
  - 6. Proposed expiration date.
- (e) Each NCSA must:
  - 1. Identify the scope of the proposed change;
  - 2. Evaluate whether emergent conditions are present because:
    - a. The non-conforming condition was not discovered until actual construction began, and
    - b. The work activity cannot be adjusted to allow construction to proceed in the identified area until the non-conforming condition is resolved;
  - 3. Evaluate whether the proposed change would result in any material decrease in safety, considering whether the proposed change would:

- a. Result in more than a minimal increase in the frequency of occurrence of an accident previously evaluated in the plant-specific DCD or in the final safety analysis report (as updated);
  - b. Result in more than a minimal increase in the likelihood of occurrence of a malfunction of a structure, system, or component (SSC) important to safety and previously evaluated in the plant-specific DCD or in the final safety analysis report (as updated);
  - c. Result in more than a minimal increase in the consequences of an accident previously evaluated in the plant-specific DCD or in the final safety analysis report (as updated);
  - d. Result in more than a minimal increase in the consequences of a malfunction of an SSC important to safety previously evaluated in the plant-specific DCD or in the final safety analysis report (as updated);
  - e. Create a possibility for an accident of a different type than any evaluated previously in the plant-specific DCD or in the final safety analysis report (as updated);
  - f. Create a possibility for a malfunction of an SSC important to safety with a different result than any evaluated previously in the plant-specific DCD or in the final safety analysis report (as updated);
  - g. Result in a design basis limit for a fission product barrier as described in the plant-specific DCD or in the final safety analysis report (as updated) being exceeded or altered; or
  - h. Result in a departure from a method of evaluation described in the plant-specific DCD or in the final safety analysis report (as updated) used in establishing the design bases or in the safety analyses; and
  - i. Result in a departure from the information required by 10 CFR 52.47(a)(28); and if so, whether the assessment requirements in 10 CFR 50.150(a)(1) would continue to be met.
  - j. Affect the resolution of an ex-vessel severe accident design feature identified in the plant-specific DCD, such that:
    - i. There is a substantial increase in the probability of an ex-vessel severe accident such that a particular ex-vessel severe accident previously reviewed and determined to be not credible could become credible; or
    - ii. There is a substantial increase in the consequences to the public of a particular ex-vessel severe accident previously reviewed.
4. Evaluate whether continued construction would make the non-conforming condition irreversible.
- (f) Upon review of the IAR, NRO will issue an IAR notification stating whether the NRC has any objection to SCE&G proceeding with the proposed change, subject to strict conditions, while SCE&G prepares to initiate the PAR process outlined in Condition D.(1)(a). If the NRC determines it has no objection to SCE&G's IAR, SCE&G may proceed

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Enclosure 2

Proposed Changes to Licensing Basis Documents (LAR 16-19)

with the proposed change, at SCE&G's own risk. The NRC's Interim Amendment Request No-Objection letter would include an expiration date, after which construction for the scope of work covered in the IAR could not continue, unless SCE&G requests use of the PAR process by submitting a written request to the NRO in accordance with COL-ISG-025 and Condition 2.D.(1)(a) and the accompanying LAR prior to such expiration. If the PAR process is initiated in a timely manner, SCE&G may continue with the proposed change until NRC issues its written PAR notification. The Interim Amendment Request No-Objection letter would remain in-effect through the NRC review process, until the NRC makes its determination on the PAR request. Upon NRC's issuance of its written PAR notification, NRC's IAR no objection notification is terminated and continued construction of the proposed change is subject to the NRC's written PAR notification. If SCE&G does not initiate the PAR process outlined in Condition D.(1)(a) prior to the expiration of NRC's IAR notification, continued construction for the scope of work covered in the IAR must stop.