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**Docket:** NRC-2016-0207

Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

**Comment On:** NRC-2016-0207-0001

Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations; Biweekly Notice

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## Submitter Information

**Name:** Ravindra Joshi

**Address:**

4605 Besselink Way  
Haymarket, VA, 20169

**Email:** r.joshi15@comcast.net

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RULES AND DIRECTIVES  
PART 1

## General Comment

Additional Comments SNC LAR 16-015

Docket ID NRC-2016-0207

Southern Nuclear Operating Company, INC. (SNC), Docket Nos. 52-025 and 52-026, Vogtle Electric Generating Plant (VEGP) Units 3 and 4.

In a letter dated July 29, 2016, SNC submitted a License Amendment Request (LAR) (ADAMS Accession number-ML16211A436). The LAR requests to add to License Condition 2.D.(1) of the VEGP Units 3 and 4 combined license an Interim Amendment Request (IAR) process for changes during construction when emergent conditions are present.

The NRC published a notice of this amendment request in Federal Register on October 11, 2016 (81 FR 70184-70185) for comments.

On October 28, 2016, I had submitted my comments on this LAR (Comment Tracking Number: 1k0-8spq-u3vi

Additional comments on this proposed amendment are provided below.

**SUNSI Review Complete**

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**Add= K. Goldstein (CKG)**

The LAR requests to add to License Condition 2.D.(1) of the VEGP Units 3 and 4 combined license an Interim Amendment Request (IAR) process for changes during construction when emergent conditions are present. However, the licensee did not define or provide any examples of emergent conditions during construction. To resolve those non-conforming conditions that may require NRC approval is not clearly defined. Instead, Section 4.3 (page 7 of 11) of Enclosure 1 of the LAR justifies the three criteria/standards of 10 CFR 52.92(c) are not compromised and the proposed license condition does not involve a "significant hazards conditions'.

It is my opinion that the overall determination that the proposed amendment request does not involve 'a significant hazards condition' is flawed because with a specific emergent condition is not defined or described so that the three criteria/standards of 10 CFR 50.92(c) can be verified such that the proposed condition/changes do not involve a significant hazards condition. Moreover, when the licensee submits its IAR to the NRC for review, there is no provision for any public interaction including an opportunity for public to review the IAR and provide comments to the NRC.

In addition, in the statement of consideration for 'Final Procedures and Standards on No Significant Hazards Consideration', 10 CFR Parts 2 and 50' (see 44 FR 7744-7767, March 6, 1986), examples of 'Amendments that are Considered Not Likely to Involve Significant Hazards Consideration' are included (see 44 FR 7751). The proposed amendment request is not enveloped by any of the examples or comparable to the examples included in the final rule (See 44 FR 7751). Therefore, without a specific example of the emergent condition, the NRC will not be able to make a final determination that the proposed amendment request does not involve a significant hazards consideration.