

January 25, 2018

Mr. Brian H. Whitley, Director  
Regulatory Affairs  
Southern Nuclear Operating Company, Inc.  
42 Inverness Center Parkway  
BIN B237  
Birmingham, AL 35242

SUBJECT: ACCEPTANCE REVIEW OF SOUTHERN NUCLEAR OPERATING  
COMPANY'S REQUEST FOR LICENSE AMENDMENT AND EXEMPTION  
FOR THE VOGTLE ELECTRIC GENERATING PLANT UNITS 3 AND 4:  
CHANGES TO TIER 2\* DEPARTURE EVALUATION PROCESS  
(EPID NO. L-2017-LLA-0421)

Dear Mr. Whitley:

By letter dated December 21, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17355A416), Southern Nuclear Operating Company (SNC) submitted a request for a license amendment to Combined License (COL) Numbers NPF-91 and NPF-92, for the Vogtle Electric Generating Plant Units 3 and 4, respectively. The requested amendment proposes changes to the departure evaluation process for Tier 2\* departures. The submittal also requests an exemption from certain change requirements in Title 10 of *the Code of Federal Regulations* (10 CFR) Part 52, Appendix D, and would allow departures from Tier 2\* information to be evaluated by the licensee against criteria proposed in a new license condition.

The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of these requests. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical reviews. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

The NRC staff has reviewed your application and concluded that it does provide information in sufficient detail to enable the NRC staff to begin its detailed review and make an independent assessment regarding the acceptability of the proposed amendment and exemption in terms of regulatory requirements and the protection of public health and safety and the environment. However, the NRC staff has identified several topics where additional information is needed to complete our review, as discussed below.

We expect that certain topics in your request will require additional discussion at a future public meeting. For example, the criteria and process described in the application do not clearly differentiate between Tier 2\* information with safety significance commensurate with Tier 1, and any Tier 2\* information which has lesser significance. Additionally, the proposed change

process for Tier 2\* items related to nuclear fuel introduces complexities, given that the associated fuel topical reports already include within them approved change processes that remain applicable to these Tier 2\* items. The staff will require additional information regarding the need for further change processes for these items, and anticipates extensive engagement may be necessary for such an additional change process to be developed and reconciled with the existing approved change process for the fuel topical reports. Additionally, the proposed process is not sufficient to assess critical sections used to establish essential design elements.

You will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

SNC has requested NRC staff approval of this LAR by May 15, 2018; however, due to the complexities and possible policy issues related to your request, we are unable to provide a review schedule at this time. We will continue to coordinate with you to ensure that your construction activities are not delayed.

If you have any questions, please contact me at (301) 415-1035 or [Donald.Habib@nrc.gov](mailto:Donald.Habib@nrc.gov).

Sincerely,

*/RA/*

Donald Habib, Project Manager  
Licensing Branch 4  
Division of New Reactor Licensing  
Office of New Reactors

Docket No(s): 52-025  
52-026

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**ADAMS Accession No. ML18019A362****\*via email****NRO-002**

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NAME	DHabib	RButler	JDixon-Herrity	ABradford
DATE	1/22/18	1/22/18	1/22/18	1/24/18

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