



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

May 3, 2018

Mr. James J. Hutto  
Regulatory Affairs Director  
Southern Nuclear Operating Company, Inc.  
Joseph M. Farley Nuclear Plant  
40 Inverness Center Parkway, BIN B042  
Birmingham, AL 35242

SUBJECT: REQUEST TO EXTEND ENFORCEMENT DISCRETION PROVIDED IN  
ENFORCEMENT GUIDANCE MEMORANDUM 15-002 FOR  
TORNADO-GENERATED MISSILE PROTECTION NON-CONFORMANCES  
IDENTIFIED IN RESPONSE TO REGULATORY ISSUE SUMMARY 2015-06,  
"TORNADO MISSILE PROTECTION" (EPID: L-2018-LRO-0013)

Dear Mr. Hutto:

By letter dated March 28, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18087A386), Southern Nuclear Operating Company, requested the U.S. Nuclear Regulatory Commission (NRC, the Commission) to extend the expiration date for the period of enforcement for Farley Nuclear Plant Units 1 and 2 (FNP), from June 10, 2018, to June 10, 2020, in accordance with information provided in Enforcement Guidance Memorandum (EGM) 15-002, Revision 1, "Enforcement Discretion for Tornado Generated Missile Protection Non-Compliance," dated February 7, 2017 (ADAMS Accession No. ML16355A286).

Subsequently, the NRC staff has reviewed your letter in accordance with Commission direction as provided in EGM 15-002, Revision 1, and staff guidance provided in NRC Interim Staff Guidance, DSS-ISG-2016-01, Revision 1, "Clarification of Licensee Actions in Receipt of Enforcement Discretion [per EGM 15-002]," dated November 2017 (ADAMS Accession No. ML17128A344).

The NRC staff reviewed the information that you have provided and finds that the compensatory measures taken are consistent with EGM 15-002, Revision 1, and with interim staff guidance found in DSS-ISG-2016-01, Revision 1. Specifically, the staff found that FNP has sufficiently described and evaluated the following six items described in DSS-ISG-2016-01, Revision 1, Appendix B: nonconformances applicable to the EGM, prompt compensatory actions, long-term compensatory actions, assessment of compensatory measures, need for additional enforcement discretion time, and timeline for restoring licensing basis compliance. The NRC staff has concluded that the actions taken by FNP can be effectively implemented and justify extension of the enforcement discretion date to June 10, 2020, because FNP has sufficiently described and documented compensatory measures for identified nonconforming structures, systems, and components (SSCs), provided assurance that compensatory measures will be effective and maintained through the extended period for enforcement discretion, and described an implementable plan for restoring SSCs to compliance within the extended period for enforcement discretion. Therefore, the request to extend enforcement discretion is granted.

If you are unable to meet the extended enforcement discretion expiration date, you are requested to contact the NRC staff at least 90 days in advance. Please contact Greg Casto at (301) 415-0565.

Sincerely,

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Michael X. Franovich, Director  
Division of Risk Assessment  
Office of Nuclear Reactor Regulation

Docket Nos. 50-348, 50-364

SUBJECT: REQUEST TO EXTEND ENFORCEMENT DISCRETION PROVIDED IN ENFORCEMENT GUIDANCE MEMORANDUM 15-002 FOR TORNADO-GENERATED MISSILE PROTECTION NON-CONFORMANCES IDENTIFIED IN RESPONSE TO REGULATORY ISSUE SUMMARY 2015-06, "TORNADO MISSILE PROTECTION" (EPID: L-2018-LRO-0013) DATED May 3, 2018

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ADAMS Accession No. **ML18106A730**

\*via-email

<b>OFFICE</b>	DRA/APLB	DRA/APLB	DSS/SCPB	APLB	DRA
<b>NAME</b>	AWu	MPatterson*	RDennig*	GCasto*	MFranovich
<b>DATE</b>	04/11/2018	04/19/2018	04/19/2018	04/20/2018	05/ 03 /2018

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