

Vogle PEmails

From: Hoellman, Jordan
Sent: Tuesday, May 29, 2018 2:44 PM
To: Vogle PEmails
Subject: Draft LAR 18-018, re: Fitness-for-Duty Commitment Change for Pre-Submittal Meeting on May 31, 2018
Attachments: ND-18-0754_LAR-18-018_Changes to Constr FFD Commitments_Presubmittal Draft.pdf

The attached draft Request for License Amendment: Changes to Construction Fitness-for-Duty (FFD) Commitments (LAR-18-018), has been provided for NRC staff review in support of a requested pre-submittal meeting on Thursday, May 31, 2018.

This draft letter contains no proprietary or security-related information, and may be made available to the Public.

Hearing Identifier: Vogtle_COL_Docs_Public
Email Number: 286

Mail Envelope Properties (SN6PR09MB2608AA42E8794776A54AF4C2D56D0)

Subject: Draft LAR 18-018, re: Fitness-for-Duty Commitment Change for Pre-Submittal Meeting on May 31, 2018
Sent Date: 5/29/2018 2:44:22 PM
Received Date: 5/29/2018 2:44:28 PM
From: Hoellman, Jordan

Created By: Jordan.Hoellman2@nrc.gov

Recipients:
"Vogtle PEmails" <Vogtle.PEmails@nrc.gov>
Tracking Status: None

Post Office: SN6PR09MB2608.namprd09.prod.outlook.com

Files	Size	Date & Time
MESSAGE	360	5/29/2018 2:44:28 PM
ND-18-0754_LAR-18-018_Changes to Constr FFD Commitments_Presubmittal Draft.pdf		
1123097		

Options

Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:

[DATE]Docket Nos.: 52-025
52-026ND-18-0754
10 CFR 50.90U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

**Southern Nuclear Operating Company
Vogtle Electric Generating Plant Units 3 and 4
Request for License Amendment:
Changes to Construction Fitness-for-Duty (FFD) Commitments (LAR-18-018)**

Ladies and Gentlemen:

In accordance with 10 CFR 50.90, Southern Nuclear Operating Company (SNC) requests an amendment to the combined licenses (COLs) for Vogtle Electric Generating Plant (VEGP) Units 3 and 4 (License Numbers NPF-91 and NPF-92, respectively). The requested amendment would revise commitments related to the construction fitness-for-duty (FFD) program described in the VEGP 3 and 4 Updated Final Safety Analysis Report (UFSAR). The change would involve the creation of a new type of FFD Authorization (FFDA) that would allow construction workers temporary access to the construction site pending completion of all pre-access FFD requirements but prior to assignment to work on safety- or security-related structures, systems, and components (SSCs).

Specifically, SNC proposes to take an exception to its current commitment to Regulatory Guide (RG) 5.84, *Fitness-for-Duty Programs at New Reactor Construction Sites* [ADAMS Accession Number ML15083A412]. RG 5.84 endorses NEI 06-06, *Fitness for Duty Program Guidance for New Nuclear Power Plant Construction Sites*, (April 2013) [ADAMS Accession Number ML13093A340]. The proposed exception would modify NEI 06-06 guidance to allow for a temporary access authorization for construction workers under 10 CFR Part 26, Subpart K. Changes to NEI 06-06 commitments would be identified in UFSAR Section 13.7, *Fitness for Duty*, and documented in UFSAR Appendix 1A, *Conformance with Regulatory Guides*. Because the proposed exceptions from NEI 06-06 are considered a reduction in commitment, the proposed changes require prior NRC approval.

Enclosure 1 provides the description, technical evaluation, regulatory evaluation (including the Significant Hazards Consideration Determination) and environmental considerations for the proposed changes.

Enclosure 2 identifies the requested changes and provides markups depicting the requested changes to the VEGP Units 3 and 4 licensing basis documents.

SNC also expects to seek a No Objection determination from the NRC Staff by submittal of a Preliminary Amendment Request (PAR) following this LAR submittal. The No Objection determination is necessary to gain efficiencies related to nonsafety-related and nonsecurity-related construction activities at the VEGP 3 and 4 site.

This letter contains no regulatory commitments. This letter has been reviewed and determined not to contain security-related information.

SNC requests NRC staff approval of the requested license amendment by XXXX XX, 2018, to support continued construction of non safety- and security-related SSCs. Delayed approval of this license amendment could result in a significant loss of efficiency related to construction activities involving safety- and security-related SSCs. SNC expects to implement this proposed amendment within 30 days of approval of the requested changes.

In accordance with 10 CFR 50.91, SNC is notifying the State of Georgia by transmitting a copy of this letter and its enclosures to the designated State Official.

Should you have any questions, please contact Wesley A. Sparkman at (205) 992-5061.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the [Day] of [Month Year].

Respectfully submitted,

Brian H. Whitley
Director, Regulatory Affairs
Southern Nuclear Operating Company

- Enclosures
- 1) Vogtle Electric Generating Plant (VEGP) Units 3 and 4 – Request for License Amendment Regarding Changes to Construction Fitness-for-Duty (FFD) Commitments (LAR-18-018)
 - 2) Vogtle Electric Generating Plant (VEGP) Units 3 and 4 – Proposed Changes to Licensing Basis Documents (LAR-18-018)

cc:

Admin: Use Distribution for non-SUNSI information.

DRAFT

Southern Nuclear Operating Company

ND-18-0754

Enclosure 1

Vogtle Electric Generating Plant (VEGP) Units 3 and 4

Request for License Amendment Regarding

Changes to Construction Fitness-for-Duty (FFD) Commitments

(LAR-18-018)

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

Table of Contents

1. SUMMARY DESCRIPTION
2. DETAILED DESCRIPTION
3. TECHNICAL EVALUATION
4. REGULATORY EVALUATION
 - 4.1. Applicable Regulatory Requirements/Criteria
 - 4.2. Precedent
 - 4.3. Significant Hazards Consideration
 - 4.4. Conclusions
5. ENVIRONMENTAL CONSIDERATIONS
6. REFERENCES

In accordance with 10 CFR 50.90, Southern Nuclear Operating Company (SNC) hereby requests an amendment to Combined License (COL) Nos. NPF-91 and NPF-92 for Vogtle Electric Generating Plant (VEGP) Units 3 and 4, respectively.

1. SUMMARY DESCRIPTION

The proposed changes would revise the Combined Licenses (COLs) in regard to commitments described in the VEGP 3 and 4 Updated Final Safety Analysis Report (UFSAR) related to fitness-for-duty (FFD) requirements for construction workers defined in 10 CFR 26.4(f) who are subject to Part 26, Subpart K (“Subpart K workers”).

SNC proposes to take an exception to its current commitment to Regulatory Guide (RG) 5.84, *Fitness-for-Duty Programs at New Reactor Construction Sites*, Revision 0, [ADAMS Accession Number ML15083A412]. RG 5.84 endorses Nuclear Energy Institute (NEI) guidance NEI 06-06, *Fitness for Duty Program Guidance for New Nuclear Power Plant Construction Sites*, (April 2013) [ADAMS Accession Number ML13093A340]. The exception would modify NEI 06-06 guidance to allow for temporary, pre-assignment¹ access authorization for individuals defined in 10 CFR 26.4(f) who are subject to an FFD program that meets the requirements of 10 CFR Part 26, Subpart K. Exceptions to NEI 06-06 commitments noted in UFSAR, Section 13.7, *Fitness for Duty* would be documented in UFSAR, Appendix 1A, *Conformance with Regulatory Guides*.

2. DETAILED DESCRIPTION

As described in UFSAR Section 13.7, *Fitness for Duty*, the construction FFD program is consistent with NEI 06-06, Revision 6. NEI 06-06 establishes FFD program requirements for new plant construction sites that meet the requirements of 10 CFR Part 26. 10 CFR 26.4(f) requires that individuals who construct or direct the construction of safety- or security-related structures, systems, and components (SSCs) shall be subject to an FFD program that meets Subpart K of 10 CFR Part 26. 10 CFR 26.405 states that individuals identified in 10 CFR 26.4(f) shall be subject to drug and alcohol testing under the following conditions: “Pre-assignment. Before assignment to construct or direct the construction of safety- or security-related SSCs.”

NEI 06-06 provides guidance to meet the requirements of Part 26 for construction workers by establishing a fitness-for-duty authorization (FFDA) that is granted after the worker has completed all elements of the construction worker FFDA. These elements include signing a consent form, completing identity verification, passing a pre-assignment drug and alcohol test, and receiving training on FFD policies, sanctions, and FFD program expectations. Because results of the pre-assignment drug testing may take several days, construction workers are prevented from gaining FFDA, even when their work would be limited to non safety- or security-related SSCs (i.e., pre-assignment). As a result, SNC is requesting an amendment to change the FFD program

¹ “Pre-assignment” means “Before assignment to construct or direct the construction of safety- or security-related [structures, systems and components] SSCs.”

requirements contained in NEI 06-06 to allow for a “limited FFDA” that would authorize access for construction workers pending results of drug testing but prior to being assigned to construct or direct the construction of safety- or security-related SSCs. All other NEI 06-06 FFDA elements would have been completed. Construction workers granted a limited FFDA would be administratively prevented from constructing or directing construction of safety or security-related SSCs.

UFSAR, Appendix 1A, provides an evaluation of the degree of compliance with Division 1 regulatory guides VEGP 3 and 4 site-specific design, construction and/or operational aspects. UFSAR Subsection 1.9.1.3, *Division 5 Regulatory Guides – Materials and Plant Protection*, describes the applicability to Division 5 Regulatory Guides. UFSAR Appendix 1A, *Conformance with Regulatory Guides*, states that conformance with RG 5.84, which endorses NEI 06-06, Revision 6 (April 2013), is without exception. NEI 06-06 contains requirements for granting an FFDA for construction workers, which consist of four elements:

1. Signing a consent;
2. Verifying identity;
3. Successfully passing a pre-assignment drug and alcohol test; and
4. Receiving training on FFD policy, sanctions and FFD program expectations.

The requested amendment proposes to add an exception to the UFSAR, Appendix 1A, entry for RG 5.84 which would allow the granting of a temporary limited FFDA to allow workers to construct non safety- and security-related SSCs pending the determination of the results of the pre-assignment drug test. Other conforming changes to licensing documents are described in the table below (Detailed markups of proposed changes to licensing documents are presented in Enclosure 2.):

Licensing Basis Change Descriptions:

Proposed Licensing Basis Changes

Text, Table, or Figure	Description of the Proposed Change
UFSAR Subsection 1.9.1.3	The degree of compliance with Division 5 Regulatory Guides is revised to address an exception to RG 5.84 in the form of an exception to NEI 06-06 that provides an allowance for granting temporary limited FFDAs.
UFSAR Appendix 1A, Entry for RG 5.84	An entry for RG 5.84 is added to take exception to NEI 06-06 as follows: A definition is added to Section 4 to define a Limited Fitness-for-Duty (FFD) Authorization

(FFDA) as an authorization granted for a limited period of time to potential 10 CFR 26.4(f) workers that have not completed all elements of FFDA for individuals subject to 10 CFR Part 26 Subpart K. Workers granted a Limited FFDA shall be administratively prevented from constructing or directing construction of safety- or security-related structures, systems, and components (SSCs).

Section 6.2.1, *Pre-Assignment*, is clarified to allow an individual to have limited access to the construction site under the conditions specified in Section 9.3.

Section 8, *Reviewing Official*, the first paragraph is revised to clarify that FFDA determinations include limited FFDA.

Section 9.2, *Types of FFDA*, is revised to add a fourth type – Limited FFDA

Section 9.3 is revised to add an introductory paragraph that reads:

“A construction site entity may grant a limited FFDA for a period of up to one working week (i.e. 7 calendar days) upon successful completion and documentation of the elements specified in Section 9.1, as appropriate, except the requirement for documentation of a passed drug test.”

UFSAR Section 13.7

UFSAR Section 13.7 is revised to refer to Appendix 1A for exceptions to NEI 06-06.

3. TECHNICAL EVALUATION

10 CFR Part 26 establishes requirements, in part, for FFD programs for holders of a combined license under 10 CFR Part 52 after the Commission has made the finding under 10 CFR 52.103(g), except that 10 CFR Part 26, Subpart K applies during the construction phase. 10 CFR 26.4(f) establishes the category of worker that is subject to the FFD program requirements of Subpart K. 10 CFR 26.4(f), in part, requires that any individual who is constructing or directing the construction of safety- or security-related SSCs shall be subject to an FFD program that meets the requirements of Subpart K. 10 CFR 26.405(c)(1) states that individuals identified in 10 CFR 26.4(f) shall be subject to drug and alcohol testing “pre-assignment,” *i.e.*, “Before assignment to

construct or direct the construction of safety- or security-related SSCs.” 10 CFR Part 26.401(b) requires that licensees who implement an FFD program under Subpart K submit a description of the FFD program and its implementation as part of the license application. The VEGP 3 and 4 FFD program description was submitted and approved as part of the combined license (COL) application and is described in UFSAR Section 13.7, *Fitness for Duty*. UFSAR Section 13.7 states that the construction FFD program is consistent with NEI 06-06, Revision 6 (April 2013), which is endorsed by Regulatory Guide 5.84, Revision 0.

NEI 06-06 provides regulatory guidance for establishing and implementing an FFD program for evaluating and maintaining the authorization of personnel for whom access to the construction site has been requested. This approach ensures consistent application of regulations and is intended to serve as the construction FFD program description for construction site entities. Consistent with operational FFD programs, NEI 06-06 sets FFD requirements for site access authorization, which is conservative relative to 10 CFR Part 26 requirements for construction FFD programs. 10 CFR Part 26 requires construction workers to be subject to an FFD program before constructing or directing the construction of safety- or security-related SSCs.

While 10 CFR Part 26 FFD requirements for operating facilities require that FFD requirements be met before granting an individual covered under the requirements of Part 26 access to the facility, Subpart K FFD requirements must be met before constructing or directing construction of a safety- or security-related SSC. Thus, Subpart K FFD requirements are not required to be met before granting an individual access to the construction site. The proposed changes to the commitments related to NEI 06-06 would allow a construction worker access to the construction site for a period not to exceed one working week (i.e. 7 calendar days) pending results of the pre-assignment drug test. All other pre-assignment FFD requirements would be met before granting the temporary access authorization, e.g., inclusion in the pool of construction workers eligible for random drug and alcohol testing. Construction workers granted access to the site under a temporary access authorization would be administratively prevented from working on safety- or security-related SSCs by being issued a uniquely designated badge and uniquely identified personal protection equipment. Personnel granted a limited FFDA and their work supervision would be informed of their work limitations. Personnel granted a limited FFDA would be tracked using the site access application. Access authorization training programs would be revised to include methods of controlling temporary access authorization and limits on the types of work such construction workers may be allowed to perform.

The proposed changes are consistent with the Commission’s intent when Subpart K was incorporated into Part 26. The Statements of Consideration for the Part 26² Rule that incorporated Subpart K into Part 26 state in part, “Therefore, the Subpart K requirements provide a licensee or other entity listed in § 26.3(c) of the final rule greater flexibility in implementing FFD programs for construction than the rule permits for FFD programs at operating plants.”

² FR Vol. 73, No. 62/Monday, March 31, 2008 Page 16996

Thus, revising commitments related to construction worker FFD requirements continue to meet Subpart K requirements.

The proposed changes do not affect the radiological source terms (i.e., amounts and types of radioactive materials released, their release rates and release durations) used in the accident analyses. The proposed changes do not affect safety-related equipment or a fission product barrier. No system or design function or equipment qualification is adversely affected by the proposed changes. The changes do not result in a new failure mode, malfunction or sequence of events that could adversely affect a radioactive material barrier or safety-related equipment. The proposed changes do not allow for a new fission product release path, result in a new fission product barrier failure mode, or create a new sequence of events that would result in significant fuel cladding failures.

No SSCs are affected by this license amendment request, thus no SSCs which are used to contain, control, channel, monitor, process or release radioactive and non-radioactive materials are affected. The types and quantities of expected effluents are not changed, and no effluent release path is adversely affected by the proposed changes. Therefore, neither radioactive nor non-radioactive material effluents are affected by the proposed changes.

Plant radiation zones (as described in UFSAR Section 12.3), controls under 10 CFR Part 20, and expected amounts and types of radioactive materials are not affected by the proposed changes. Therefore, individual and cumulative radiation exposures do not change.

The change activity has no adverse impact on the emergency plan or the physical security plan implementation, because there are no changes to physical access to credited equipment inside the Nuclear Island (including containment or the auxiliary building) there is no adverse impact to plant personnel's ability to respond to any plant operations or security event.

Summary

The proposed changes to SNC's commitment to NEI 06-06 guidance which would allow temporary access to the construction site for construction workers pending the results of FFD pre-assignment requirements continue to meet the requirements of 10 CFR Part 26. The above proposed changes would not adversely affect any safety-related or security-related equipment or function, design function, radioactive material barrier or safety analysis.

4. REGULATORY EVALUATION

4.1 Applicable Regulatory Requirements/Criteria

10 CFR Part 26, *Fitness for Duty Programs*, establishes requirements, for FFD programs, in part, for holders of a combined license under 10 CFR Part 52 after the Commission has made the finding under 10 CFR 52.103(g), except for 10 CFR Part 26, Subpart K, which applies during the construction phase. 10 CFR 26.4(f) establishes the category of worker that is subject to the FFD program requirements of Subpart K. 10 CFR 26.4(f), in part, requires that any individual who is constructing or directing the construction of safety- or security-related SSCs shall be subject to an FFD program that meets the requirements of Subpart K. Because the proposed changes to SNC's commitment to NEI 06-06 guidance continue to ensure construction workers who construct or direct the construction of safety- or security-related SSCs are subject to an FFD program, the requirements of 10 CFR Part 26, Subpart K, are met.

4.2 Precedent

No precedent is identified.

4.3 Significant Hazards Consideration

The proposed changes would revise the Vogtle Electric Generating Plant (VEGP) 3 and 4 Updated Final Safety Analysis Report (UFSAR) commitment related to the construction worker Fitness-for-Duty (FFD) program to include a limited FFD Authorization (FFDA) to allow workers to construct nonsafety- and non-security-related SSCs pending the determination of the results of the pre-assignment drug test. There is no physical change to the plant itself.

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 changes to the Vogtle Electric Generating Plant (VEGP) 3 and 4 Updated Final Safety Analysis Report (UFSAR) commitment related to the construction worker Fitness-for-Duty (FFD) program do not affect the design of a system, structure, or component (SSC) used to meet the design bases of the nuclear plant. Nor do the changes affect the construction or operation of the nuclear plant itself, so there is no change to the probability or consequences of an accident previously evaluated. Changing the VEGP 3 and 4 FFD program

commitments do not affect prevention and mitigation of abnormal events (e.g., accidents, anticipated operational occurrences, earthquakes, floods, or turbine missiles) or their safety or design analyses. No safety-related SSC or function is adversely affected. The changes neither involve nor interface with any SSC accident initiator or initiating sequence of events, so the probabilities of the accidents evaluated in the UFSAR are not affected. Because the changes do not involve any safety-related SSC or function used to mitigate an accident, the consequences of the accidents evaluated in the UFSAR are not affected.

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 changes to the VEGP 3 and 4 UFSAR commitment related to the construction worker FFD program do not affect the operation of any systems or equipment that may initiate a new or different kind of accident or alter any SSC such that a new accident initiator or initiating sequence of events is created. The changes do not affect the design of an SSC used to meet the design bases of the nuclear plant. Nor do the changes affect the construction or operation of the nuclear plant. Consequently, there is no new or different kind of accident from any accident previously evaluated. The changes do not affect safety-related equipment, nor do they affect equipment that, if it failed, could initiate an accident or a failure of a fission product barrier. In addition, the changes do not result in a new failure mode, malfunction, or sequence of events that could affect safety or safety-related equipment.

No analysis is adversely affected. No system or design function or equipment qualification is adversely affected by the changes. This activity will not allow for a new fission product release path, nor will it result in a new fission product barrier failure mode, nor create a new sequence of events that would result in significant fuel cladding failures.

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

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

Response: No.

The proposed changes to the VEGP 3 and 4 UFSAR commitment related to the construction worker FFD program do not alter any safety-related equipment, applicable design codes, code compliance, design function, or safety analysis. Consequently, no safety analysis or design basis acceptance limit/criterion is challenged or exceeded by the proposed change, thus the margin of safety is not reduced.

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. Pursuant to 10 CFR 50.92, the requested change does not involve a Significant Hazards Consideration.

5. ENVIRONMENTAL CONSIDERATIONS

The proposed changes would revise the Vogtle Electric Generating Plant (VEGP) 3 and 4 Updated Final Safety Analysis Report (UFSAR) commitment related to the construction worker Fitness-for-Duty (FFD) program to allow workers to construct nonsafety- and non-security-related SSCs pending the determination of the results of the pre-assignment drug test. There is no physical change to the plant itself.

This review has determined the proposed change requires an amendment to the COL. However, a review of the anticipated construction and operational effects of the requested amendment has determined the requested 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 requested amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated; (2) the requested

amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated; and (3) the requested amendment does not involve a significant reduction in a margin of safety. Therefore, it is concluded that the requested 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.

- (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 change to the VEGP 3 and 4 UFSAR commitments related to the construction worker FFD program is unrelated to any aspect of plant construction or operation that would introduce any change 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. Furthermore, the proposed change 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, it is concluded that the requested 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 change to the VEGP 3 and 4 UFSAR commitments related to the construction worker FFD program would not affect plant radiation zones (addressed in UFSAR Section 12.3) or controls under 10 CFR Part 20 that preclude a significant increase in occupational radiation exposure. Therefore, the requested amendment does not involve a significant increase in individual or cumulative occupational radiation exposure.

Based on the above review of the requested amendment, it has been determined that anticipated construction and operational effects of the requested 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 requested 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 exemption is not required.

6. REFERENCES

None.

Southern Nuclear Operating Company

ND-18-0754

Enclosure 2

Vogtle Electric Generating Plant Units 3 and 4

Proposed Changes to Licensing Basis Documents

(LAR-18-018)

**Insertions Denoted by Blue Underline and Deletions by ~~Red~~ Strikethrough
Omitted text is identified by three asterisks (* * *)**

(This Enclosure consists of five pages, including this cover page.)

UFSAR Subsection 1.9.1.3 is revised to reflect that UFSAR Section 13.7 states that the construction FFD program is consistent with NEI 06-06, Revision 6 (April 2013) with exceptions.

1.9.1.3 Division 5 Regulatory Guides-Materials and Plant Protection

* * *

Appendix 1A also provides an evaluation of the degree of conformance with the Division 5 regulatory guide (5.84) related to construction fitness-for-duty (FFD) programs. The VEGP 3 and 4 construction FFD program is described in UFSAR, Section 13.7. UFSAR Section 13.7 states that the FFD program is consistent with endorsed NEI 06-06, Revision 6 (April 2013) [with exceptions](#).

UFSAR Appendix 1A entry for Regulatory Guide (RG) 5.84 is revised to reflect the exceptions taken to NEI 06-06, Revision 6 (April 2013).

Note: This markup reflects current UFSAR text that was incorporated by a non-LAR departure that was evaluated per 10 CFR Part 52, Appendix D, Section VIII.B.5 criteria and determined to not require prior NRC approval

Reg. Guide 5.84, Rev. 0, 7/15 – Fitness-for-Duty Programs at New Reactor Construction Sites

Conformance with programmatic and/or operational aspects is documented below.

General	10 CFR Part 26 NEI 06-06 Rev. 6 (April 2013)	Conforms <u>Exception</u>	<u>Exceptions to guidance provided in NEI 06-06 Rev. 6 (April 2013) are as described below:</u> <u>A definition is added to define a limited FFD authorization as follows:</u> <u>Limited Fitness-for-Duty (FFD) Authorization (FFDA) - An authorization granted for a limited period of time to potential 10 CFR 26.4(f) workers that have not completed all elements for FFDA for individuals subject to 10 CFR Part 26 Subpart K. Workers granted a Limited FFDA shall be administratively prevented from constructing safety- or security-related structures, systems, and components (SSCs).</u> <u>Section 6.2.1, <i>Pre-Assignment</i>, is clarified to allow an individual to have limited access to the construction site under the conditions specified in Section 9.3</u>
---------	---	-------------------------------------	---

Section 8. *Reviewing Official*, the first sentence of the first paragraph is revised to read:

The construction site entity or as applicable, approved C/V, is required to designate in writing one or more individuals as a reviewing official to make FFDA (including Limited FFDA) determinations relative to a potential construction site workforce member's trustworthiness and reliability and fitness for duty.

Section 9.2, *Types of FFDA*, is revised to add a fourth type – Limited FFDA

Section 9.3, *Granting FFDA and FFDA Elements*, is revised to add an introductory paragraph that reads:

A construction site entity may grant a limited FFDA for a period of up to one working week (i.e. 7 calendar days) upon successful completion and documentation of the elements specified within Section 9.1, as appropriate, except the requirement for documentation of a passed drug test.

The second paragraph UFSAR Section 13.7 is revised to clarify that the construction FFD program is consistent with NEI 06-06 Revision 6 (April 2013) with exceptions.

The construction FFD program is consistent with NEI 06-06 (Reference 201) as endorsed by NRC Regulatory Guide 5.84, Revision 0, [as amended by the exceptions documented in Appendix 1A](#), and the pre-access provisions for reinstatement described in 10 CFR 26.65. NEI 06-06 applies to persons constructing or directing the construction of safety- and security-related structures, systems, or components performed onsite where the new reactor will be installed and operated. Management and oversight personnel, as further described in NEI 06-06, and security personnel prior to the receipt of special nuclear material in the form of fuel assemblies (with certain exceptions) will be subject to the operations FFD program that meets the requirements of 10 CFR Part 26, Subparts A through H, N, and O. At the establishment of a protected area, all persons who are granted unescorted access will meet the requirements of an operations FFD program.