



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

September 20, 2018

Mr. Brian H. Whitley, Director
Regulatory Affairs
Southern Nuclear Operating Company, Inc.
3535 Colonnade Parkway, Bin N-226-EC
Birmingham, AL 35243

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT, UNITS 3 AND 4 — ISSUANCE OF AMENDMENTS AND GRANTING OF EXEMPTIONS RE: CHANGES TO THE TIER 2* DEPARTURE EVALUATION PROCESS (LAR 17-037) (EPID L-2017-LLA-0421)

Dear Mr. Whitley:

In response to your application dated December 21, 2017, as supplemented by letters dated April 6, May 11, June 18, August 3, August 10, and September 13, 2018, the U.S. Nuclear Regulatory Commission (NRC) has granted the enclosed Exemptions and issued the enclosed Amendment Nos. 142 and 141 to Combined License (COL) Nos. NPF-91 and NPF-92 for the Vogtle Electric Generating Plant (VEGP) Units 3 and 4, respectively. The amendments consist of changes to add a license condition that would implement a criteria-based evaluation process to determine whether a proposed departure from Tier 2* information in the Updated Final Safety Analysis Report (UFSAR) remains subject to the Tier 2* departure requirements in 10 CFR Part 52, Appendix D, Section VIII.B.6 and requires prior NRC approval or is subject to the Tier 2 departure requirements in Part 52, Appendix D, Section VIII.B.5.

The amendments authorize SNC to depart from plant-specific Design Control Document Tier 2* information incorporated into the VEGP Units 3 and 4 UFSAR without prior NRC approval if the departure satisfies criteria specified in the license. The requested exemptions would allow Southern Nuclear Operating Company (SNC) to implement the criteria-based departure process described in the license condition in place of the process provided in the regulations that requires NRC approval prior to any departure from Tier 2* information. The criteria-based process in the license condition would apply to departures that involve only Tier 2* information or a combination of Tier 2* and Tier 2 information. However, any departure that involved changes to Tier 1 information or technical specifications would not be affected by the license amendment and would continue to require prior NRC approval, regardless of whether it also involved a change to or departure from Tier 2* information. These exemptions are related to, and necessary for the granting of the license amendments, which are being issued concurrently with these exemptions.

As described in the enclosed Safety Evaluation, SNC in its Enclosure 1U provided information and committed to implementing guidance regarding License Condition 2.D.(13) before implementing the requested amendment. Therefore, the staff is including in the implementation section of the amendment a requirement for SNC to fully implement the procedural guidance described in Enclosures 1U and 8U of the LAR prior to implementation of the license amendment.

A copy of the related Safety Evaluation, which includes the evaluation of the amendment and exemptions, is enclosed. The notice of issuance of the amendment and exemption documents included in this letter will be published in the *Federal Register*.

Sincerely,

/RA/

Donald Habib, Project Manager
Licensing Branch 4
Division of Licensing, Siting, and
Environmental Analysis
Office of New Reactors

Docket Nos.: 52-025
52-026

Enclosures:

1. Exemption for Amendment No. 142
for VEGP Unit 3 COL
2. Exemption for Amendment No. 141
for VEGP Unit 4 COL
3. Amendment No. 142 to VEGP Unit 3 COL
4. Amendment No. 141 to VEGP Unit 4 COL
3. Safety Evaluation

cc: See next page

VOGTLE ELECTRIC GENERATING PLANT, UNITS 3 AND 4 — ISSUANCE OF
 AMENDMENTS AND GRANTING OF EXEMPTIONS RE: CHANGES TO THE TIER 2*
 DEPARTURE EVALUATION PROCESS (LAR 17-037) (EPID L-2017-LLA-0421)
 DATED **SEPTEMBER 20, 2018**

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(Revised 08/16/2018)

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