



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

SAFETY EVALUATION BY THE OFFICE OF NEW REACTORS
RELATED TO AMENDMENT NOS. 163 AND 161
TO THE COMBINED LICENSE NOS. NPF-91 AND NPF-92, RESPECTIVELY
SOUTHERN NUCLEAR OPERATING COMPANY, INC.
GEORGIA POWER COMPANY
OGLETHORPE POWER CORPORATION
MEAG POWER SPVM, LLC
MEAG POWER SPVJ, LLC
MEAG POWER SPVP, LLC
CITY OF DALTON, GEORGIA
VOGTLE ELECTRIC GENERATING PLANT UNITS 3 AND 4
DOCKET NOS. 52-025 AND 52-026

1.0 INTRODUCTION

By letter dated May 10, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19134A059), Southern Nuclear Operating Company, Inc. (SNC) requested that the U.S. Nuclear Regulatory Commission (NRC) amend the combined licenses (COLs) for Vogtle Electric Generating Plant (VEGP) Units 3 and 4, COL Nos. NPF-91 and NPF-92, respectively.

In License Amendment Request (LAR) 19-007, SNC proposed to revise the plant-specific emergency planning (EP) Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC) in Appendix C of the VEGP Units 3 and 4 COLs, to delete redundant plant-specific EP ITAAC that are either bounded by other ITAAC or redundant to document submittal regulatory requirements (i.e., submission of detailed implementing procedures for the emergency plan, required by Section V of Appendix E to 10 CFR Part 50). SNC indicated that the proposed changes to the EP ITAAC are non-technical in nature, and do not involve changes to the approved emergency plan, the plant-specific Tier 2 Design Control Document (DCD),¹ or the VEGP Units 3 and 4 emergency preparedness exercise schedule requirements prescribed in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Appendix E, Sections IV.F.2.a.ii, IV.F.2.a.iii, IV.F.2.b and IV.F.2.c for multi-unit sites.

¹ The definition of Tier 1, Tier 2, and Tier 2*, which reflect design-related information contained in the generic AP1000 DCD, are provided in Section II of Appendix D to 10 CFR Part 52. Tier 2 means the portion of the design-related information contained in the generic DCD that is approved, but not certified, by Appendix D (i.e., Tier 2 information).

2.0 REGULATORY EVALUATION

The requested amendment revises EP ITAAC necessary to support the implementation of the approved emergency plan. The staff considered the following regulatory requirements and guidance in reviewing the licensee's LAR:

- 10 CFR 50.47(b)(8) requires that adequate emergency facilities and equipment to support the emergency response are provided and maintained.
- 10 CFR 50.47(b)(9) requires adequate methods, systems, and equipment for assessing and monitoring actual or potential offsite consequences of a radiological emergency condition.
- 10 CFR 50.47(b)(14) requires that periodic exercises are (will be) conducted to evaluate major portions of emergency response capabilities, periodic drills are (will be) conducted to develop and maintain key skills, and deficiencies identified as a result of exercises or drills are (will be) corrected.
- 10 CFR Part 50, Appendix E, Section IV.A.4 requires the identification of persons within the licensee organization who will be responsible for making offsite dose projections and describing how these projections will be made and the results transmitted to State and local authorities, the NRC, and other appropriate governmental entities.
- 10 CFR Part 50, Appendix E, Section IV.B requires a description of the means to be used for determining the magnitude of, and for continually assessing the impact of, the release of radioactive materials.
- 10 CFR Part 50, Appendix E, Section IV.E.2 requires that adequate provisions shall be made and described for emergency facilities and equipment, including equipment for determining the magnitude of, and for continuously assessing the impact of, the release of radioactive materials to the environment.
- 10 CFR Part 50, Appendix E, Section IV.E.8 requires that adequate provisions be made and described for emergency facilities and equipment, including a licensee's onsite operations support center (OSC) and technical support center (TSC), as well as an emergency operations facility (EOF) from which effective direction can be given and effective control can be exercised during an emergency.
- 10 CFR Part 50, Appendix E, Section IV.F.2 requires that the [emergency] plan shall describe provisions for the conduct of emergency preparedness exercises as follows: Exercises shall test the adequacy of timing and content of implementing procedures and methods, test emergency equipment and communications networks, test the public alert and notification system, and ensure that emergency organizations personnel are familiar with their duties.
- 10 CFR Part 50, Appendix E, Section IV.G requires a description of provisions to be employed to ensure that the emergency plan, its implementing procedures, and emergency equipment and supplies are maintained up to date.

- 10 CFR Part 50, Appendix E, Section V requires, for a COL, submission by the licensee to the NRC of detailed implementing procedures for the emergency plan no less than 180 days before the scheduled date for initial fuel load.
- 10 CFR 52.97(b) requires that the Commission identify within the COL the ITAAC that are necessary and sufficient to provide reasonable assurance that the facility has been constructed and will be operated in conformity with the license, the provisions of the Act,² and the Commission's rules and regulations.

3.0 TECHNICAL EVALUATION

As described in Section 1, "Summary Description," of Enclosure 1 to LAR-19-007, SNC proposed to amend Appendix C of the VEGP Units 3 and 4 COLs by deleting various plant-specific EP ITAAC that are either bounded by other EP ITAAC or redundant to document submittal regulatory requirements. In addition, SNC stated that the proposed changes are non-technical in nature, and do not involve changes to the approved emergency plan or the plant-specific Tier 2 DCD. The staff evaluated the proposed changes to determine if they are consistent with the current regulations and guidance, including the applicable licensing and design basis information.

3.1 VEGP Units 3 ITAAC E.3.9.05.01.03 (Item No. 851)

10 CFR 50.47(b)(8) and, Sections IV.E.8 and IV.G of Appendix E to 10 CFR Part 50 require that a licensee provide and maintain adequate emergency facilities and equipment to support the emergency response, which includes a TSC. Applicable guidance is contained in NUREG-0654, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants" dated November 1980; NUREG-0696, "Functional Criteria for Emergency Response Facilities," dated November 1980; Supplement 1 to NUREG-0737, "Clarification of TMI Action Plan Requirements: Requirements for Emergency Response Capability," dated January 1983; and NSIR/DPR-ISG-01, Revision 0 "Emergency Planning for Nuclear Power Plants," dated November 2011. VEGP Unit 3 ITAAC E.3.9.05.01.03 (Item No. 851) addresses the establishment of a TSC, regarding the availability of certain Updated Final Safety Analysis Report (UFSAR) information in the TSC during an emergency. Specifically, VEGP Unit 3 EP ITAAC E.3.9.05.01.03 (Item No. 851) includes Acceptance Criterion (AC) 5.1.3, which states that "[t]he plant parameters listed in UFSAR Table 7.5-1, Post-Accident Monitoring System, can be retrieved and displayed in the TSC."

In Section 2.2, "Changes to Emergency Planning ITAAC," of Enclosure 1 to LAR-19-007, SNC stated that VEGP Unit 3 ITAAC E.3.9.01.01.01 (ITAAC 845) also verifies [in AC 1.1.1] that "[t]he parameters specified in UFSAR Table 7.5-1, Post-Accident Monitoring System, are retrievable in the control room, TSC, and EOF." SNC concluded that "[t]he VEGP Unit 3 ITAAC E.3.9.01.01.01 bounds VEGP Unit 3 E.3.9.05.01.03; therefore, it is proposed that VEGP Unit 3 ITAAC E.3.9.05.01.03 be deleted."

In Section 2.2 of Enclosure 1, under the subsection entitled "Technical Evaluation – VEGP Unit 3 ITAAC E.3.9.05.01.03," SNC provided a detailed description of the requirements and guidance that form the regulatory basis for VEGP Unit 3 ITAAC E.3.9.05.01.03 (Item No. 851). This description addresses the technical basis for why the parameters listed in UFSAR Table 7.5-1 must be available in the TSC. However, as addressed above, SNC stated that the

² Atomic Energy Act of 1954, as amended (AEA).

proposed ITAAC change is non-technical in nature, such that the deletion of Unit 3 ITAAC E.3.9.05.01.03 (Item No. 851) merely reflects the removal of an ITAAC requirement that is duplicated in ITAAC E.3.9.01.01.01 (Item No. 845).

The staff reviewed this information and agrees with SNC's description of the applicable requirements and guidance, including the technical basis for inclusion of the TSC's ability to retrieve and display the parameters in UFSAR Table 7.5-1. The staff also agrees with SNC, that the deletion of VEGP Unit 3 ITAAC E.3.9.05.01.03 (Item 851) is non-technical in nature and does not involve changes to the approved emergency plan or the plant-specific Tier 2 DCD. Further, the technical requirement for the availability in the TSC of the parameters in UFSAR Table 7.5-1 is retained in VEGP Unit 3 ITAAC E.3.9.01.01.01 (Item No. 845). This is because AC 1.1.1 of VEGP Unit 3 ITAAC E.3.9.01.01.01 (Item No. 845) retains verification that the plant parameters in UFSAR Table 7.5.1 are retrievable in the TSC, as well as in the control room and EOF. In addition, AC 1.1.1 provides that "[t]he ranges of values of these parameters that can be displayed encompass the values specified in the emergency classification and EAL [emergency action level] scheme."

The staff finds that the proposed deletion of VEGP Unit 3 ITAAC E.9.05.01.03 (Item No. 851) is acceptable because AC 1.1.1 of VEGP Unit 3 ITAAC E.3.9.01.01.01 (Item No. 845) retains the requirement for the UFSAR Table 7.5-1 parameters to be retrievable in the TSC. In addition, the deletion of VEGP Unit 3 ITAAC E.3.9.05.01.03 (Item No. 851) does not involve changes to the approved VEGP Units 3 and 4 Emergency Plan or the plant-specific AP1000 Tier 2 DCD and is consistent with the guidance in NUREG-0654, NUREG-0696, and Supplement 1 to NUREG-0737. Therefore, the staff concludes that the proposed deletion of VEGP Unit 3 ITAAC E.3.9.05.01.03 (Item No. 851) is acceptable, and that there continues to be reasonable assurance that the requirements of 10 CFR 50.47(b)(8) and Sections IV.E.8 and IV.G of Appendix E to 10 CFR Part 50 will be met.

3.2 VEGP Unit 3 ITAAC E.3.9.05.02.02 (Item No. 858)

10 CFR 50.47(b)(8) and Sections IV.E.8 and IV.G of Appendix E to 10 CFR Part 50 require that a licensee provide and maintain adequate emergency facilities and equipment to support the emergency response, which includes an EOF. Applicable guidance is contained in NUREG-0654, NUREG-0696, Supplement 1 to NUREG-0737, and NSIR/DPR-ISG-01. VEGP Unit 3 ITAAC E.3.9.05.02.02 (Item No. 858) addresses the establishment of an EOF, regarding the availability of certain UFSAR information in the EOF during an emergency. Specifically, VEGP Unit 3 EP ITAAC E.3.9.05.02.02 (Item No. 858) includes AC 5.2.2, which states that "[t]he plant parameters listed in UFSAR Table 7.5-1, Post-Accident Monitoring System, can be retrieved and displayed in the EOF."

In Section 2.2 of Enclosure 1 to LAR-19-007, SNC stated that VEGP Unit 3 ITAAC E.3.9.01.01.01 (ITAAC 845) also verifies [in AC 1.1.1] that "[t]he parameters specified in UFSAR Table 7.5-1, Post-Accident Monitoring System, are retrievable in the control room, TSC, and EOF." SNC concluded that "[t]he VEGP Unit 3 ITAAC E.3.9.01.01.01 bounds VEGP Unit 3 E.3.9.05.02.02; therefore, it is proposed that VEGP Unit 3 ITAAC E.3.9.05.02.02 be deleted."

In Section 2.2 of Enclosure 1, under the subsection entitled "Technical Evaluation – VEGP Unit 3 ITAAC E.3.9.05.02.02," SNC provided a detailed description of the requirements and guidance that form the regulatory basis for VEGP Unit 3 ITAAC E.3.9.05.02.02 (Item No. 858). This description addresses the technical basis for why the parameters listed in UFSAR Table 7.5-1 must be available in the EOF. However, as addressed above, SNC stated that the

proposed ITAAC change is non-technical in nature, such that the deletion of VEGP Unit 3 ITAAC E.3.9.05.02.02 (Item No. 858) merely reflects the removal of an ITAAC requirement that is duplicated in ITAAC E.3.9.01.01.01 (Item No. 845).

The staff reviewed this information and agrees with SNC's description of the applicable requirements and guidance, including the technical basis for inclusion of the EOF's ability to retrieve and display the parameters in UFSAR Table 7.5-1. The staff also agrees with SNC, that the deletion of VEGP Unit 3 ITAAC E.3.9.05.02.02 (Item 858) is non-technical in nature and does not involve changes to the approved emergency plan or the plant-specific Tier 2 DCD. Further, the technical requirement for the availability in the EOF of the parameters in UFSAR Table 7.5-1 is retained in VEGP Unit 3 ITAAC E.3.9.01.01.01 (Item No. 845). This is because AC 1.1.1 of VEGP Unit 3 ITAAC E.3.9.01.01.01 (Item No. 845) retains verification that the plant parameters in UFSAR Table 7.5.1 are retrievable in the EOF, as well as in the control room and TSC. In addition, AC 1.1.1 provides that "[t]he ranges of values of these parameters that can be displayed encompass the values specified in the emergency classification and EAL [emergency action level] scheme."

The staff finds that the proposed deletion of VEGP Unit 3 ITAAC E.9.05.02.02 (Item No. 858) is acceptable because AC 1.1.1 of VEGP Unit 3 ITAAC E.3.9.01.01.01 (Item No. 845) retains the requirement for the UFSAR Table 7.5-1 parameters to be retrievable in the EOF. In addition, the deletion of VEGP Unit 3 ITAAC E.3.9.05.02.02 (Item No. 858) does not involve changes to the approved VEGP Units 3 and 4 Emergency Plan or the plant-specific AP1000 Tier 2 DCD and is consistent with the guidance in NUREG-0654, NUREG-0696, Supplement 1 to NUREG-0737, and NSIR/DPR-ISG-01. Therefore, the staff concludes that the proposed deletion of VEGP Unit 3 ITAAC E.3.9.05.02.02 (Item No. 858) is acceptable, and that there continues to be reasonable assurance that the requirements of 10 CFR 50.47(b)(8) and Sections IV.E.8 and IV.G of Appendix E to 10 CFR Part 50 will be met.

3.3 VEGP Units 3 and 4 ITAAC E.3.9.05.01.06 (Item No. 854)

10 CFR 50.47(b)(8) and Sections IV.E.8 and IV.G of Appendix E to 10 CFR Part 50 require that a licensee provide and maintain adequate emergency facilities and equipment to support the emergency response, which includes a TSC. Applicable guidance is contained in NUREG-0654, NUREG-0696, Supplement 1 to NUREG-0737, and NSIR/DPR-ISG-01. VEGP Units 3 and 4 ITAAC E.3.9.05.01.06 (Item No. 854) addresses the TSC ventilation system. Specifically, VEGP Units 3 and 4 ITAAC E.3.9.5.01.06 (Item No. 854) includes AC 5.1.6, which states that "[t]he TSC ventilation system includes a high-efficiency particulate air (HEPA) and charcoal filter, and radiation monitors are installed."

In Section 2.2 of Enclosure 1 to LAR-19-007, SNC stated that VEGP Unit 3 ITAAC E.3.9.05.01.08 (ITAAC 856) verifies [in AC 5.1.8] that "[c]ontrols and displays exist in the TSC to control and monitor the status of the TSC ventilation system including heating and cooling, and the activation of the HEPA [high-efficiency particulate air] and charcoal filter system upon detection of high radiation in the TSC." In addition, SNC stated the following:

VEGP Unit 3 ITAAC E.3.9.05.01.08 bounds VEGP Unit 3 ITAAC E.3.9.05.01.06; therefore, it is proposed that VEGP Unit 3 ITAAC E.3.9.05.01.06 be deleted. The VEGP Unit 4 ITAAC 854 can also be revised to indicate that ITAAC 854 is not used, instead of "Verified on VEGP Unit 3" since VEGP Units 3 and 4 share a common TSC and the corresponding VEGP Unit 3 ITAAC E.3.9.05.01.06 is being deleted.

In Section 2.2 of Enclosure 1, under the subsection entitled “Technical Evaluation – VEGP Unit 3 ITAAC E.3.9.05.01.06 and VEGP Unit 4 ITAAC 854,” SNC provided a detailed description of the requirements and guidance that form the regulatory basis for VEGP Units 3 and 4 ITAAC E.3.9.05.01.06 (Item No. 854). This description addresses the technical basis for the TSC ventilation system, as reflected in AC 5.1.6 and 5.1.8. However, as addressed above, SNC stated that the proposed ITAAC change is non-technical in nature, such that the deletion of VEGP Unit 3 ITAAC E.3.9.05.01.06 (Item No. 854) merely reflects the removal of an ITAAC requirement that is duplicated in VEGP Unit 3 ITAAC E.3.9.05.01.08 (Item No. 856).

The staff reviewed this information and agrees with SNC’s description of the applicable requirements and guidance, including the technical basis for the TSC ventilation system. The staff also agrees with SNC, that the deletion of VEGP Unit 3 ITAAC E.3.9.05.01.06 (Item 854) is non-technical in nature and does not involve changes to the approved emergency plan or the plant-specific Tier 2 DCD. Further, the technical requirement for the TSC ventilation system is retained in VEGP Unit 3 ITAAC E.3.9.05.01.08 (Item No. 856). This is because AC 5.1.8 of VEGP Unit 3 ITAAC E.3.9.05.01.08 (Item No. 856) retains verification of the TSC ventilation system. Specifically, Inspections, Tests, Analyses No. 5.1 states that “[a]n inspection of the as-built TSC and OSC will be performed, including a test of the capabilities.” For the TSC, this will include operation of the TSC HEPA and charcoal filter. The installation of the radiation monitors will be verified when the HEPA and charcoal filter system is activated upon detection of high radiation in the TSC, which will be shown through the existence of the associated controls and displays.

The staff finds that the proposed deletion of VEGP Unit 3 ITAAC E.3.9.05.01.06 (Item No. 854), and the revision of VEGP Unit 4 ITAAC Item No. 854 to “Not used.,” are acceptable because AC 5.1.8 of VEGP Unit 3 ITAAC E.3.9.05.01.08 (Item No. 856) retains requirements for the TSC ventilation system. In addition, the deletion of VEGP Unit 3 ITAAC E.3.9.05.01.06 (Item No. 854) and revision of VEGP Unit 4 ITAAC Item No. 854 do not involve changes to the approved VEGP Units 3 and 4 Emergency Plan or the plant-specific AP1000 Tier 2 DCD and is consistent with the guidance in NUREG-0654, NUREG-0696, and Supplement 1 to NUREG-0737. Therefore, the staff concludes that the proposed deletion of VEGP Unit 3 ITAAC E.3.9.05.01.06 (Item No. 854), and the revision of VEGP Unit 4 ITAAC Item No. 854 to “Not used.,” are acceptable, and that there continues to be reasonable assurance that the requirements of 10 CFR 50.47(b)(8) and Sections IV.E.8 and IV.G of Appendix E to 10 CFR Part 50 will be met.

3.4 VEGP Units 3 and 4 ITAAC E.3.9.06.00.02 (Item No. 860)

10 CFR 50.47(b)(9) and Sections IV.A.4, IV.B, and IV.E.2 of Appendix E to 10 CFR Part 50, require that a licensee provide adequate methods, systems, and equipment for assessing and monitoring actual or potential offsite consequences of a radiological emergency condition. Applicable guidance is contained in NUREG-0654, NUREG-0696, Supplement 1 to NUREG-0737, and NSIR/DPR-ISG-01. VEGP Units 3 and 4 ITAAC E.3.9.06.00.02 (Item No. 860) address calculation of the source terms and the magnitude of release during postulated accident scenarios. Specifically, Units 3 and 4 ITAAC E.3.9.06.00.02 (Item No. 860) includes AC 6.2, which states that “EIPs [emergency implementing procedures], through use in training and a drill, provided direction to accurately calculate the source terms and the magnitude of release of postulated accident scenarios.”

In Section 2.2 of Enclosure 1 to LAR-19-007, SNC stated that various AC in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) encompass the requirements in VEGP Units 3 and 4

ITAAC E.3.9.06.00.02 (Item No. 860), and therefore, Units 3 and 4 ITAAC E.3.9.06.00.02 (Item No. 860) can be deleted. In addition, SNC stated the following:

VEGP Unit 3 ITAAC E.3.9.08.01.01 (ITAAC 870) contains AC associated with accident assessment and classification, radiological assessment and control, and protective action recommendations. During an exercise involving a radiological release, the radioactive material release source term within plant systems and the magnitude of the release of radioactive materials based on plant system parameters and effluent monitors must be determined by qualified Emergency Response Organization (ERO) personnel using EIPs, to demonstrate that the ITAAC E.3.9.08.01.01 accident assessment and classification AC associated with emergency action levels (EALs) and emergency classification are met. Qualified ERO personnel using EIPs must also establish the magnitude of the release of radioactive materials based on plant system parameters and effluent monitors to demonstrate that the ITAAC E.3.9.08.01.01 radiological assessment and control and protective action recommendation AC, associated with radiological surveys and samples, radiation exposure monitoring and emergency worker protection, field monitoring teams, dose projections, and offsite protective action recommendations, are met. Meeting the accident assessment and classification, radiological assessment and control, and protective action recommendation AC [acceptance criteria] associated with VEGP Unit 3 ITAAC E.3.9.08.01.01 therefore encompasses the VEGP Unit 3 ITAAC E.3.9.06.00.02 program commitment, ITA [inspection, test and analysis] and AC.

Additionally, the VEGP Units 3 and 4 design, SNC Standard Emergency Plan, Vogtle 3 and 4 Standard Emergency Plan Annex, accident assessment and classification EIPs, radiological assessment and control EIPs, protective action recommendation EIPs, EAL scheme, ERO training (including EIP training), and ERO staffing are common to both VEGP Units 3 and 4. Thus, meeting the accident assessment and classification, radiological assessment and control, and protective action recommendation AC associated with VEGP Unit 3 ITAAC E.3.9.08.01.01, also encompasses the VEGP Unit 4 ITAAC E.3.9.06.00.02 program commitment, ITA and AC.

In Section 2.2 of Enclosure 1, under the subsection entitled “Technical Evaluation – VEGP Units 3 and 4 ITAAC E.3.9.06.00.02,” SNC provided a detailed description of the requirements and guidance that form the regulatory basis for Units 3 and 4 ITAAC E.3.9.06.00.02 (Item No. 860). This description addresses the technical basis for requiring the capability to accurately calculate the source term and the magnitude of release during postulated accident scenarios, as reflected in AC 6.2. However, as addressed above, SNC stated that the proposed ITAAC change is non-technical in nature, such that the deletion of Units 3 and 4 ITAAC E.3.9.06.00.02 (Item No. 860) merely reflects the removal of an ITAAC requirement that is duplicated in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870). (The relationship to VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870) is not applicable, due to SNC’s proposed deletion of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870), addressed below in Section 3.8.)

The staff reviewed this information and agrees with SNC’s description of the applicable requirements and guidance, including the technical basis for the requirement to calculate source term and magnitude of release. The staff also agrees with SNC, that the deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.02 (Item 860) is non-technical in nature and does not involve changes to the approved emergency plan or the plant-specific Tier 2 DCD.

The staff compared the requirement to calculate source term and magnitude of release in AC 6.2 against the three AC areas in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) that SNC identified above, which consist of (1) accident assessment and classification, (2) radiological assessment and control, and (3) protective action recommendations. Specifically, these three areas are addressed in AC 8.1.1.A.1, AC 8.1.1.E.5, and AC 8.1.1.E.7, and consist of the following:

- AC 8.1.1.A.1: Demonstrate the ability to identify initiating conditions, determine emergency action level (EAL) parameters, and correctly classify the emergency throughout the exercise.
- AC 8.1.1.E.5: Demonstrate the ability to develop dose projections.
- AC 8.1.1.E.7: Demonstrate the ability to develop appropriate protective action recommendations (PARs) and notify appropriate authorities within 15 minutes of PAR approval by the Emergency Director.

The completion of these three AC, as part of the partial participation exercise required by VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870), includes activities that are conducted pursuant to EIPs by qualified ERO personnel, and encompass the requirement in AC 6.2 to calculate source term and magnitude of release. Specifically, the calculation of source term and magnitude of release is integral to completion of the activities demonstrated in ACs 8.1.1.A.1, 8.1.1.E.5, and 8.1.1.E.7. As such, the requirement in AC 6.2 is retained in AC 8.1.1.A.1, AC 8.1.1.E.5, and AC 8.1.1.E.7 of VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870).

The staff finds that the proposed deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.02 (Item No. 860) is acceptable because AC 8.1.1.A.1, 8.1.1.E.5, and 8.1.1.E.7 of VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) retain the AC 6.2 requirement to demonstrate that EIPs, through use in training and a drill, provide direction to accurately calculate the source terms and the magnitude of release during postulated accident scenarios. In addition, the deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.02 (Item No. 860) does not involve changes to the approved VEGP Units 3 and 4 Emergency Plan or the plant-specific AP1000 Tier 2 DCD and is consistent with the guidance in NUREG-0654, NUREG-0696, and Supplement 1 to NUREG-0737. Therefore, the staff concludes that the proposed deletion of Units 3 and 4 ITAAC E.3.9.06.00.02 (Item No. 860) is acceptable, and that there continues to be reasonable assurance that the requirements of 10 CFR 50.47(b)(9) and Sections IV.A.4, IV.B, and IV.E.2 of Appendix E to 10 CFR Part 50 will be met.

3.5 VEGP Units 3 and 4 ITAAC E.3.9.06.00.03 (Item No. 861)

10 CFR 50.47(b)(9) and Sections IV.A.4, IV.B, and IV.E.2 of Appendix E to 10 CFR Part 50 require that a licensee provide adequate methods, systems, and equipment for assessing and monitoring actual or potential offsite consequences of a radiological emergency condition. Applicable guidance is contained in NUREG-0654, NUREG-0696, Supplement 1 to NUREG-0737, and NSIR/DPR-ISG-01. VEGP Units 3 and 4 ITAAC E.3.9.06.00.03 (Item No. 861) address the means to continuously assess the impact of the release of radioactive materials to the environment. Specifically, VEGP Units 3 and 4 ITAAC E.3.9.06.00.03 (Item No. 861) includes AC 6.3, which states that “Response personnel demonstrate that the means exist to continuously assess the impact of the release of radioactive materials to the environment, accounting for the relationship between effluent monitoring readings, and onsite and offsite exposures and contamination for various meteorological conditions under drill conditions.”

Like the discussion above in Section 3.4, SNC stated in Section 2.2 of Enclosure 1 to LAR-19-007 that various AC in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) encompass the requirements in VEGP Units 3 and 4 ITAAC E.3.9.06.00.03 (Item No. 861), and therefore, VEGP Units 3 and 4 ITAAC E.3.9.06.00.03 (Item No. 861) can be deleted. In addition, SNC stated the following:

VEGP Unit 3 ITAAC E.3.9.08.01.01 (ITAAC 870) contains AC associated with accident assessment and classification, radiological assessment and control, and protective action recommendations. During an exercise involving a radiological release, the release of radioactive materials to the environment must be continually assessed, accounting for the relationship between effluent monitoring readings, and onsite and offsite exposures and contamination for various meteorological conditions to demonstrate that the ITAAC E.3.9.08.01.01 accident assessment and classification AC associated with EALs and emergency classification are met. Additionally, the release of radioactive materials to the environment must be continually assessed, accounting for the relationship between effluent monitoring readings, and onsite and offsite exposures and contamination for various meteorological conditions, to demonstrate that the ITAAC E.3.9.08.01.01 radiological assessment and control and protective action recommendation AC, associated with radiological surveys and samples, radiation exposure monitoring and emergency worker protection, field monitoring teams, dose projections, and offsite protective action recommendations, are met. Meeting the accident assessment and classification, radiological assessment and control, and protective action recommendation AC associated with VEGP Unit 3 ITAAC E.3.9.08.01.01, therefore encompasses the VEGP Unit 3 ITAAC E.3.9.06.00.03 program commitment, ITA and AC.

Finally, the VEGP Units 3 and 4 design, SNC Standard Emergency Plan, VEGP Units 3 and 4 Standard Emergency Plan Annex, accident assessment and classification EIPs, radiological assessment and control EIPs, protective action recommendation EIPs, EAL scheme, ERO training, and ERO staffing are common to both VEGP Units 3 and 4. Thus, meeting the accident assessment and classification, radiological assessment and control, and protective action recommendation AC associated with VEGP Unit 3 ITAAC E.3.9.08.01.01, also encompasses the VEGP Unit 4 ITAAC E.3.9.06.00.03 program commitment, ITA and AC.

In Section 2.2 of Enclosure 1, under the subsection entitled “Technical Evaluation – VEGP Units 3 and 4 ITAAC E.3.9.06.00.03,” SNC provided a detailed description of the requirements and guidance that form the regulatory basis for VEGP Units 3 and 4 ITAAC E.3.9.06.00.03 (Item No. 861). This description addresses the technical basis for requiring the means to continuously assess the impact of the release of radioactive materials to the environment, as reflected in AC 6.3. However, as addressed above, SNC stated that the proposed ITAAC change is non-technical in nature, such that the deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.03 (Item No. 861) merely reflects the removal of an ITAAC requirement that is duplicated in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870). (The relationship to VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870) is not applicable, due to SNC’s proposed deletion of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870), addressed below in Section 3.8.)

The staff reviewed this information and agrees with SNC’s description of the applicable requirements and guidance, including the technical basis for the requirement to address the

means to continuously assess the impact of the release of radioactive materials to the environment. The staff also agrees with SNC, that the deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.03 (Item 861) is non-technical in nature and does not involve changes to the approved emergency plan or the plant-specific Tier 2 DCD.

The staff compared the requirement to address the means to continuously assess the impact of the release of radioactive materials to the environment in AC 6.3 against the three AC areas in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) that SNC identified above, which consist of (1) accident assessment and classification, (2) radiological assessment and control, and (3) protective action recommendations. Specifically, these three areas are addressed in AC 8.1.1.A.1, AC 8.1.1.E.5, and AC 8.1.1.E.7, and consist of the following:

- AC 8.1.1.A.1: Demonstrate the ability to identify initiating conditions, determine emergency action level (EAL) parameters, and correctly classify the emergency throughout the exercise.
- AC 8.1.1.E.5: Demonstrate the ability to develop dose projections.
- AC 8.1.1.E.7: Demonstrate the ability to develop appropriate protective action recommendations (PARs) and notify appropriate authorities within 15 minutes of PAR approval by the Emergency Director.

The staff finds that the proposed deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.03 (Item No. 861) is acceptable because AC 8.1.1.A.1, AC 8.1.1.E.5, and AC 8.1.1.E.7 of VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) retain the AC 6.3 requirement for the means to continuously assess the impact of the release of radioactive materials to the environment. In addition, the deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.03 (Item No. 861) does not involve changes to the approved VEGP Units 3 and 4 Emergency Plan or the plant-specific AP1000 Tier 2 DCD and is consistent with the guidance in NUREG-0654, NUREG-0696, and Supplement 1 to NUREG-0737. Therefore, the staff concludes that the proposed deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.03 (Item No. 861) is acceptable, and that there continues to be reasonable assurance that the requirements of 10 CFR 50.47(b)(9) and Sections IV.A.4, IV.B, and IV.E.2 of Appendix E to 10 CFR Part 50 will be met.

3.6 VEGP Units 3 and 4 ITAAC E.3.9.06.00.05 (Item No. 863)

10 CFR 50.47(b)(9) and Sections IV.A.4, IV.B, and IV.E.2 of Appendix E to 10 CFR Part 50 require that a licensee provide adequate methods, systems, and equipment for assessing and monitoring actual or potential offsite consequences of a radiological emergency condition. Applicable guidance is contained in NUREG-0654, NUREG-0696, Supplement 1 to NUREG-0737, and NSIR/DPR-ISG-01. VEGP Units 3 and 4 ITAAC E.3.9.06.00.05 (Item No. 863) address the activation of radiological field monitoring teams that demonstrate an ability to make rapid assessment of radiological hazards. Specifically, VEGP Units 3 and 4 ITAAC E.3.9.06.00.05 (Item No. 863) includes AC 6.5, which states the following:

- 6.5 The radiological field monitoring team(s) was activated and evaluated. They demonstrated an ability to make rapid assessment of actual or potential magnitude and locations of any radiological hazards through simulated liquid or gaseous release pathways. A qualified field team was notified, activated, briefed and dispatched in accordance with EIPs during a radiological release scenario. The team demonstrated the procedural guidance in team composition, use of monitoring equipment, communication from the field, and locating specific sampling locations.

Like the discussion above in Sections 3.4 and 3.5, SNC stated in Section 2.2 of Enclosure 1 to LAR-19-007 that various AC in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) encompass the requirements in VEGP Units 3 and 4 ITAAC E.3.9.06.00.05 (Item No. 863), and therefore, VEGP Units 3 and 4 ITAAC E.3.9.06.00.05 (Item No. 863) can be deleted. In addition, SNC stated the following:

VEGP Unit 3 ITAAC E.3.9.08.01.01 (ITAAC 870) contains AC associated with radiological assessment and control, and protective action recommendations. During an exercise involving a simulated liquid or gaseous release, the release of radioactive materials to the environment must be assessed by deploying radiological field monitoring teams per EIPs and EIP support procedures, who are capable of making rapid assessment of the actual or potential magnitude of radiological release, and the locations of any radiological hazards, to demonstrate that the ITAAC E.3.9.08.01.01 radiological assessment and control and protective action recommendation AC, associated with radiological surveys and samples, radiation exposure monitoring and emergency worker protection, field monitoring teams, dose projections, and offsite protective action recommendations, are met. Meeting the radiological assessment and control, and protective action recommendation AC associated with VEGP Unit 3 ITAAC E.3.9.08.01.01 therefore encompasses the VEGP Unit 3 ITAAC E.3.9.06.00.05 program commitment, ITA and AC.

Additionally, the VEGP Units 3 and 4 design, SNC Standard Emergency Plan, Vogtle 3 and 4 Standard Emergency Plan Annex, accident assessment and classification EIPs, radiological assessment and control EIPs, protective action recommendation EIPs, EAL scheme, ERO training, and ERO staffing are common to both VEGP Units 3 and 4. Thus, meeting the radiological assessment and control, and protective action recommendation AC associated with VEGP Unit 3 ITAAC E.3.9.08.01.01, also encompasses the VEGP Unit 4 ITAAC E.3.9.06.00.05 program commitment, ITA and AC.

In Section 2.2 of Enclosure 1, under the subsection entitled “Technical Evaluation – VEGP Units 3 and 4 ITAAC E.3.9.06.00.05,” SNC provided a detailed description of the requirements and guidance that form the regulatory basis for VEGP Units 3 and 4 ITAAC E.3.9.06.00.05 (Item No. 863). This description addresses the technical basis for requiring the activation of radiological field monitoring teams that demonstrate an ability to make rapid assessment of radiological hazards, as reflected in AC 6.5. However, as addressed above, SNC stated that the proposed ITAAC change is non-technical in nature, such that the deletion of Units 3 and 4 ITAAC E.3.9.06.00.05 (Item No. 863) merely reflects the removal of an ITAAC requirement that is duplicated in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870). (The relationship to VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870) is not applicable, due to SNC’s proposed deletion of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870), addressed below in Section 3.8.)

The staff reviewed this information and agrees with SNC’s description of the applicable requirements and guidance, including the technical basis for requiring the activation of radiological field monitoring teams that demonstrate an ability to make rapid assessment of radiological hazards. The staff also agrees with SNC, that the deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.05 (Item 863) is non-technical in nature and does not involve changes to the approved emergency plan or the plant-specific Tier 2 DCD.

The staff compared the requirement to activate radiological field monitoring teams that demonstrate an ability to make rapid assessment of radiological hazards in AC 6.5 against the two AC areas in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) that SNC identified above, which consist of (1) radiological assessment and control, and (2) protective action recommendations. Specifically, these two areas are addressed in AC 8.1.1.E.1, AC 8.1.1.E.4, AC 8.1.1.E.5, and AC 8.1.1.E.7, and consist of the following:

- AC 8.1.1.E.1: Demonstrate the ability to obtain onsite radiological surveys and samples.
- AC 8.1.1.E.4: Demonstrate the ability to satisfactorily collect and disseminate field team data.
- AC 8.1.1.E.5: Demonstrate the ability to develop dose projections.
- AC 8.1.1.E.7: Demonstrate the ability to develop appropriate protective action recommendations (PARs) and notify appropriate authorities within 15 minutes of PAR approval by the Emergency Director.

The staff finds that the proposed deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.05 (Item No. 863) is acceptable because AC 8.1.1.E.1, AC 8.1.1.E.4, AC 8.1.1.E.5 and AC 8.1.1.E.7 of VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) retain the AC 6.5 requirement for the activation of radiological field monitoring teams that demonstrate an ability to make rapid assessment of radiological hazards. In addition, the deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.05 (Item No. 863) does not involve changes to the approved VEGP Units 3 and 4 Emergency Plan or the plant-specific AP1000 Tier 2 DCD and is consistent with the guidance in NUREG-0654, NUREG-0696, and Supplement 1 to NUREG-0737. Therefore, the staff concludes that the proposed deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.05 (Item No. 863) is acceptable, and that there continues to be reasonable assurance that the requirements of 10 CFR 50.47(b)(9) and Sections IV.A.4, IV.B, and IV.E.2 of Appendix E to 10 CFR Part 50 will be met.

3.7 VEGP Units 3 and 4 ITAAC E.3.9.06.00.06 (Item No. 864)

10 CFR 50.47(b)(9) and Sections IV.A.4, IV.B, and IV.E.2 of Appendix E to 10 CFR Part 50 require that a licensee provide adequate methods, systems, and equipment for assessing and monitoring actual or potential offsite consequences of a radiological emergency condition. Applicable guidance is contained in NUREG-0654, NUREG-0696, Supplement 1 to NUREG-0737, and NSIR/DPR-ISG-01. VEGP Units 3 and 4 ITAAC E.3.9.06.00.06 (Item No. 864) addresses the means to estimate integrated dose and compare the results with the Environmental Protection Agency (EPA) protective action guides (PAGs). Specifically, VEGP Units 3 and 4 ITAAC E.3.9.06.00.06 (Item No. 864) includes AC 6.6, which states the following:

- 6.6 The means were demonstrated to estimate integrated dose from the dose assessment program and the radiological field monitoring team readings during a radioactive release scenario. The results were compared with the EPA PAGs.

Like the discussion above in Sections 3.4, 3.5 and 3.6, SNC stated in Section 2.2 of Enclosure 1 to LAR-19-007 that various AC in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) encompass the requirements in VEGP Units 3 and 4 ITAAC E.3.9.06.00.06 (Item No. 864), and therefore, VEGP Units 3 and 4 ITAAC E.3.9.06.00.06 (Item No. 864) can be deleted. In addition, SNC stated the following:

VEGP Unit 3 ITAAC E.3.9.08.01.01 (ITAAC 870) contains AC associated with radiological assessment and control, and protective action recommendations. During an exercise involving the release of radioactive materials to the environment, the integrated dose from projected and actual dose rates must be determined and compared to the EPA PAGs using information provided by the dose assessment program and the radiological field monitoring teams to demonstrate that the ITAAC E.3.9.08.01.01 radiological assessment and control and protective action recommendation AC, associated with radiological surveys and samples, field monitoring teams, dose projections, and offsite protective action recommendations, are met. Meeting the radiological assessment and control, and protective action recommendation AC associated with VEGP Unit 3 ITAAC E.3.9.08.01.01, therefore encompasses the VEGP Unit 3 ITAAC E.3.9.06.00.06 program commitment, ITA, and AC.

Additionally, the VEGP Units 3 and 4 design, SNC Standard Emergency Plan, Units 3 and 4 Standard Emergency Plan Annex, accident assessment and classification EIPs, radiological assessment and control EIPs, protective action recommendation EIPs, EAL scheme, ERO training, and ERO staffing are common to both VEGP Units 3 and 4. Thus, meeting the radiological assessment and control, and protective action recommendation AC associated with VEGP Unit 3 ITAAC E.3.9.08.01.01, also encompasses the VEGP Unit 4 ITAAC E.3.9.06.00.06 program commitment, ITA and AC.

In Section 2.2 of Enclosure 1, under the subsection entitled “Technical Evaluation – VEGP Units 3 and 4 ITAAC E.3.9.06.00.05,” SNC provided a detailed description of the requirements and guidance that form the regulatory basis for VEGP Units 3 and 4 ITAAC E.3.9.06.00.06 (Item No. 864). This description addresses the technical basis for requiring the activation of radiological field monitoring teams that demonstrate an ability to make rapid assessment of radiological hazards, as reflected in AC 6.6. However, as addressed above, SNC stated that the proposed ITAAC change is non-technical in nature, such that the deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.06 (Item No. 864) merely reflects the removal of an ITAAC requirement that is duplicated in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870). (The relationship to VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870) is not applicable, due to SNC’s proposed deletion of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870), addressed below in Section 3.8.)

The staff reviewed this information and agrees with SNC’s description of the applicable requirements and guidance, including the technical basis for estimating integrated dose and comparing the results with the EPA PAGs. The staff also agrees with SNC, that the deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.06 (Item 864) is non-technical in nature and does not involve changes to the approved emergency plan or the plant-specific Tier 2 DCD.

The staff compared the requirement to estimate integrated dose and compare the results with the EPA PAGs in AC 6.6 against the two AC areas in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) that SNC identified above, which consist of (1) radiological assessment and control, and (2) protective action recommendations. Specifically, these two areas are addressed in AC 8.1.1.E.1, AC 8.1.1.E.4, AC 8.1.1.E.5, and AC 8.1.1.E.7, and consist of the following:

- AC 8.1.1.E.1: Demonstrate the ability to obtain onsite radiological surveys and samples.
- AC 8.1.1.E.4: Demonstrate the ability to satisfactorily collect and disseminate field team data.

- AC 8.1.1.E.5: Demonstrate the ability to develop dose projections.
- AC 8.1.1.E.7: Demonstrate the ability to develop appropriate protective action recommendations (PARs) and notify appropriate authorities within 15 minutes of PAR approval by the Emergency Director.

The staff finds that the proposed deletion of Units 3 and 4 ITAAC E.3.9.06.00.06 (Item No. 864) is acceptable because AC 8.1.1.E.1, AC 8.1.1.E.4, AC 8.1.1.E.5 and AC 8.1.1.E.7 of VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) retain the AC 6.6 requirement for estimating integrated dose and comparing the results with the EPA PAGs (which is integral to developing protective action recommendations). In addition, the deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.06 (Item No. 864) does not involve changes to the approved VEGP Units 3 and 4 Emergency Plan or the plant-specific AP1000 Tier 2 DCD and is consistent with the guidance in NUREG-0654, NUREG-0696, and Supplement 1 to NUREG-0737. Therefore, the staff concludes that the proposed deletion of VEGP Units 3 and 4 ITAAC E.3.9.06.00.06 (Item No. 864) is acceptable, and that there continues to be reasonable assurance that the requirements of 10 CFR 50.47(b)(9) and Sections IV.A.4, IV.B, and IV.E.2 of Appendix E to 10 CFR Part 50 will be met.

3.8 VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870)

10 CFR 50.47(b)(14) and Section IV.F.2 of Appendix E to 10 CFR Part 50 require that a licensee conduct periodic exercises and drills to develop and maintain emergency response capabilities. Applicable guidance is contained in NUREG-0654 and NSIR/DPR-ISG-01. VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870) addresses the timely completion of an onsite partial participation exercise and demonstration of the associated exercise objectives (i.e., AC). Specifically, VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870) includes AC 8.1.1, which states (in part) the following:

- 8.1.1 The exercise is completed within the specified time periods of Appendix E to 10 CFR Part 50 and onsite exercise objectives were either met or the post-exercise critique corrective actions necessary to protect the health and safety of the public have been completed. Exercise objectives include:
 - A. *Accident Assessment and Classification* [A.1]
 - B. *Notifications* [B.1-B.3]
 - C. *Emergency Response* [C.1-C.4]
 - D. *Emergency Response Facilities* [D.1-D.3]
 - E. *Radiological Assessment and Control* [E.1-E.6]

In Section 2.2 of Enclosure 1 to LAR-19-007, SNC stated that the VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870) Program Commitment and ITA are duplicated in VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870), and that the VEGP Unit 4 AC are bounded by the VEGP Unit 3 AC. In addition, VEGP Unit 4 shares the 31 areas (listed in Section 2.2) of EP resources, requirements, capabilities, emergency response facilities, procedures, and ERO with VEGP Unit 3. SNC concluded that VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870) can be deleted. In addition, SNC stated the following:

VEGP Unit 4 shares the same emergency planning resources, capabilities, emergency response facilities (TSC, EOF, OSC, and Joint Information Center (JIC)), procedures, and ERO with VEGP Unit 3 that are used to accomplish the

principal functional areas of emergency response including management and coordination of emergency response, accident assessment, event classification, notification of offsite authorities, assessment of the onsite and offsite impact of radiological releases, protective action recommendation development, and protective action decision making.

VEGP Unit 4 is of the same plant system, equipment, and core design as VEGP Unit 3, with minor differences in equipment nomenclature (e.g., equipment tag numbers) and plant parameter operating values, proximity of radioactive material release points (approximately 800 feet) within the same Owner Controlled Area, and separate VEGP Units 3 and 4 Control Rooms. These differences will not impact the initiating conditions to emergency action levels or the resulting emergency classification assessment as the emergency action level scheme and emergency classification process are common to both VEGP Units 3 and 4. Additionally, the VEGP Unit 4 Main Control Room emergency planning ITAAC associated with testing or inspection of the as-built equipment related to emergency classification and emergency action level scheme (ITAAC 845), emergency communications (ITAACs 847 and 848) and meteorological information (ITAAC 862) are retained to ensure the AC associated with these program commitments are met.

In Section 2.2 of Enclosure 1, under the subsection entitled “Technical Evaluation – VEGP Unit 4 ITAAC E.3.9.08.01.01,” SNC provided a detailed description of the requirements and guidance that form the regulatory basis for VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870).³ This description addresses the technical basis for requiring that a licensee conduct periodic exercises and drills to develop and maintain emergency response capabilities, as reflected in AC 8.1.1. However, as addressed above, SNC stated that the proposed ITAAC change is non-technical in nature, such that the deletion of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870) merely reflects the removal of ITAAC requirements that are duplicated in VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870).

The staff reviewed this information and agrees with SNC’s description of the applicable requirements and guidance, including the technical basis for the timely completion of an onsite partial participation exercise and demonstration of the associated exercise objectives. The staff also agrees with SNC, that the deletion of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item 870) is non-technical in nature and does not involve changes to the approved emergency plan or the plant-specific Tier 2 DCD.

The staff compared the 28 individual requirements in AC 8.1.1 (A-E) of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870)⁴ against (1) the respective requirements in AC 8.1.1 (A-E) of VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item 870), and (2) the four additional VEGP Unit 4 ITAAC (listed below) that SNC identified (above) as associated with the as-built VEGP Unit 4 equipment.

- VEGP Unit 4 ITAAC E.3.9.01.01.01 (Item No. 845) – Re: UFSAR Table 7.5-1 parameters retrievable in the control room.

³ SNC’s reference to 10 CFR 50.47(b)(9) should be to 10 CFR 50.47(b)(14).

⁴ Unit 4 ITAAC E.3.9.08.01.01 (Item 870) AC 8.1.1.A.1.a, B.1.a, B.1.b, B.2.a, B.2.b, B.2.c, B.3.a, C.1.a, C.2.a, C.3.a, C.4.a, D.1.a, D.2.a, D.2.b, D.2.c, D.3.a, D.3.c, E.1.a, E.1.b, E.2.a, E.2.b, E.3.a, E.4.a, E.4.b, E.5.a, E.6.a, E.6.b, and E.6.c.

- VEGP Unit 4 ITAAC E.3.9.03.00.01 (Item No. 847) – Re: communications established between onsite facilities (e.g., control room) and offsite agencies.
- VEGP Unit 4 ITAAC E.3.9.03.00.02 (Item No. 848) – Re: communications established from onsite facilities (e.g., control room) to the NRC headquarters and regional office EOC, and operation of the Emergency Response Data System (ERDS).
- VEGP Unit 4 ITAAC E.3.9.06.00.04 (Item No. 862) – Re: meteorological parameters displayed in the TSC and control room.

The staff confirmed that the 28 requirements in AC 8.1.1 (A-E) of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870) are addressed in the respective requirements in AC 8.1.1 of VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870), including some that are addressed in one or more of the four additional VEGP Unit 4 ITAAC associated with the as-built VEGP Unit 4 equipment, identified above. From its detailed review, the staff determined that, given the commonality of the VEGP Unit 3 and VEGP Unit 4 areas of EP resources, requirements, capabilities, emergency response facilities, procedures, and ERO, as they relate to accomplishing the principal functional areas of emergency response for the common VEGP Units 3 and 4 site (identified by SNC, above), all 28 of the VEGP Unit 4 AC 8.1.1 requirements will be adequately addressed, in the absence of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870).

The staff finds that the proposed deletion of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870) is acceptable because the 28 requirements in AC 8.1.1.A-E are addressed in AC 8.1.1.A-E of VEGP Unit 3 ITAAC E.3.9.08.01.01 (Item No. 870), VEGP Unit 4 ITAAC E.3.9.01.01.01 (Item No. 845), VEGP Unit 4 ITAAC E.3.9.03.00.01 (Item No. 847), VEGP Unit 4 ITAAC E.3.9.03.00.02 (Item No. 848), and VEGP Unit 4 ITAAC E.3.9.06.00.04 (Item No. 862). In addition, the deletion of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870) does not involve changes to the approved VEGP Units 3 and 4 Emergency Plan or the plant-specific AP1000 Tier 2 DCD and is consistent with the guidance in NUREG-0654. Finally, the deletion of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item N. 870) does not relieve SNC of conducting an exercise for Unit 4, in accordance with the requirements in Section IV.F.2.a.(iii) to Appendix E of 10 CFR Part 50. The elimination of this regulatory requirement would require NRC's approval of a separate exemption request.

Therefore, the staff concludes that the proposed deletion of VEGP Unit 4 ITAAC E.3.9.08.01.01 (Item No. 870) is acceptable, and that there continues to be reasonable assurance that the requirements of 10 CFR 50.47(b)(14) and Section IV.F.2 of Appendix E to 10 CFR Part 50 will be met.

3.9 VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871)

10 CFR 50.47(b)(14) and Section IV.F.2 of Appendix E to 10 CFR Part 50 require that a licensee conduct periodic exercises and drills to develop and maintain emergency response capabilities. Applicable guidance is contained in NUREG-0654 and NSIR/DPR-ISG-01. VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871) addresses the completion of a partial participation exercise, including demonstration of the mobilization of onsite emergency response personnel and associated performance of assigned responsibilities. Specifically, VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871) includes AC 8.1.2, which states the following:

- 8.1.2 Onsite emergency response personnel are mobilized in sufficient number to fill the emergency positions identified in SNC Standard Emergency Plan Section B, *Emergency Response Organization*, and Vogtle (Units 3

& 4) Standard Emergency Plan Annex, Section 2, *Organizational Control of Emergencies*, and they successfully perform their assigned responsibilities as outlined in Acceptance Criterion 8.1.1.D, *Emergency Response Facilities*.

In Section 2.2 of Enclosure 1 to LAR-19-007, SNC stated that the VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871) Program Commitment, ITA and AC are duplicated in VEGP Unit 3 ITAAC E.3.9.08.01.02 (Item No. 871). SNC added that VEGP Unit 4 shares the 31 areas (listed in Section 2.2) of EP resources, requirements, capabilities, emergency response facilities, procedures, and ERO with VEGP Unit 3. As such, AC 8.1.2 of VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871) will not demonstrate any new aspects of EP resources, capabilities, emergency response facilities, procedures, and ERO used to accomplish the principal functional areas of emergency response including management and coordination of emergency response, accident assessment, event classification, notification of offsite authorities, assessment of the onsite and offsite impact of radiological releases, protective action recommendation development, and protective action decision making, not already demonstrated by AC 8.1.2 of VEGP Unit 3 ITAAC E.3.9.08.01.02 (Item No. 871). SNC concluded that VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871) can be deleted. Like the discussion above in Section 3.8, SNC also stated the following:

VEGP Unit 4 shares the same emergency planning resources, capabilities, emergency response facilities (TSC, EOF, OSC, and JIC), procedures, and ERO with VEGP Unit 3 that are used to accomplish the principal functional areas of emergency response including management and coordination of emergency response, accident assessment, event classification, notification of offsite authorities, assessment of the onsite and offsite impact of radiological releases, protective action recommendation development, and protective action decision making.

VEGP Unit 4 is of the same plant system, equipment, and core design as VEGP Unit 3, with minor differences in equipment nomenclature (e.g., equipment tag numbers) and plant parameter operating values, proximity of radioactive material release points (approximately 800 feet) within the same Owner Controlled Area, and separate VEGP Units 3 and Unit 4 Control Rooms. These differences will not impact the initiating conditions to emergency action levels or the resulting emergency classification assessment as the emergency action level scheme and emergency classification process are common to both VEGP Units 3 and Unit 4. Additionally, the VEGP Unit 4 Main Control Room emergency planning ITAAC associated with testing or inspection of the as-built equipment related to emergency classification and emergency action level scheme (ITAAC 845), emergency communications (ITAACs 847 and 848) and meteorological information (ITAAC 862) are retained to ensure the AC associated with these program commitments are met.

In Section 2.2 of Enclosure 1, under the subsection entitled, "Technical Evaluation – VEGP Unit 4 ITAAC E.3.9.08.01.02," SNC provided a detailed description of the requirements and guidance that form the regulatory basis for VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871).⁵ This description addresses the technical basis for requiring that a licensee conduct exercises and drills to evaluate and maintain emergency response capabilities, as reflected in AC 8.1.2.

⁵ SNC's reference to 10 CFR 50.47(b)(9) should be to 10 CFR 50.47(b)(14).

However, as addressed above, SNC stated that the proposed ITAAC change is non-technical in nature, such that the deletion of VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871) merely reflects the removal of an ITAAC requirement that is duplicated in VEGP Unit 3 ITAAC E.3.9.08.01.02 (Item No. 871).

The staff reviewed this information and agrees with SNC's description of the applicable requirements and guidance, including the technical basis for the timely completion of an onsite partial participation exercise and demonstration of the associated exercise objectives. The staff also agrees with SNC, that the deletion of VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item 871) is non-technical in nature and does not involve changes to the approved emergency plan or the plant-specific Tier 2 DCD.

The staff compared AC 8.1.2 of VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871) against AC 8.1.2 of VEGP Unit 3 ITAAC E.3.9.08.01.02 (Item No. 871) and the four additional VEGP Unit 4 ITAAC (listed below) that SNC identified (above) as associated with the as-built VEGP Unit 4 equipment.

- VEGP Unit 4 ITAAC E.3.9.01.01.01 (Item No. 845) – Re: UFSAR Table 7.5-1 parameters retrievable in the control room.
- VEGP Unit 4 ITAAC E.3.9.03.00.01 (Item No. 847) – Re: communications established between onsite facilities (e.g., control room) and offsite agencies.
- VEGP Unit 4 ITAAC E.3.9.03.00.02 (Item No. 848) – Re: communications established from onsite facilities (e.g., control room) to the NRC headquarters and regional office EOC, and operation of the ERDS.
- VEGP Unit 4 ITAAC E.3.9.06.00.04 (Item No. 862) – Re: meteorological parameters displayed in the TSC and control room.

The staff confirmed that the requirements in AC 8.1.2 of VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871) are the same as those in AC 8.1.2 of VEGP Unit 3 ITAAC E.3.9.08.01.02 (Item No. 871) and are also addressed in one or more of the four additional VEGP Unit 4 ITAAC associated with the as-built VEGP Unit 4 equipment, identified above. The staff determined that, given the commonality of the VEGP Units 3 and VEGP Unit 4 areas of EP resources, requirements, capabilities, emergency response facilities, procedures, and ERO, as they relate to accomplishing the principal functional areas of emergency response for the common VEGP Units 3 and 4 site (identified by SNC, above), the VEGP Unit 4 AC 8.1.2 requirements will be adequately addressed, in the absence of VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871).

The staff finds that the proposed deletion of VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871) is acceptable because the requirements in AC 8.1.2 are addressed in AC 8.1.2 of VEGP Unit 3 ITAAC E.3.9.08.01.02 (Item No. 871), VEGP Unit 4 ITAAC E.3.9.01.01.01 (Item No. 845), VEGP Unit 4 ITAAC E.3.9.03.00.01 (Item No. 847), VEGP Unit 4 ITAAC E.3.9.03.00.02 (Item No. 848), and VEGP Unit 4 ITAAC E.3.9.06.00.04 (Item No. 862). In addition, the deletion of VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871) does not involve changes to the approved VEGP Units 3 and 4 Emergency Plan or the plant-specific AP1000 Tier 2 DCD and is consistent with the guidance in NUREG-0654. Therefore, the staff concludes that the proposed deletion of VEGP Unit 4 ITAAC E.3.9.08.01.02 (Item No. 871) is acceptable, and that there continues to be reasonable assurance that the requirements of 10 CFR 50.47(b)(14) and Section IV.F.2 of Appendix E to 10 CFR Part 50 will be met.

3.10 VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872)

10 CFR 50.47(b)(14) and Section IV.F.2 of Appendix E to 10 CFR Part 50 require that a licensee conduct periodic exercises and drills to develop and maintain emergency response capabilities. Applicable guidance is contained in NUREG-0654 and NSIR/DPR-ISG-01. VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872) addresses the timely completion of a partial participation exercise, including demonstration of the associated offsite exercise objectives. Specifically, VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872) includes AC 8.1.3, which states the following:

- 8.1.3 The exercise is completed within the specified time periods of Appendix E to 10 CFR Part 50, offsite exercise objectives have been met, and there are either no uncorrected offsite deficiencies, or a license condition requires offsite deficiencies to be corrected prior to operation above 5% of rated power.

In Section 2.2 of Enclosure 1 to LAR-19-007, SNC stated that the VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872) Program Commitment, ITA, and AC are duplicated in VEGP Unit 3 ITAAC E.3.9.08.01.03 (Item No. 872). SNC added that VEGP Unit 4 shares the 31 areas (listed in Section 2.2) of EP resources, requirements, capabilities, emergency response facilities, procedures, and ERO with VEGP Unit 3. As such, AC 8.1.3 of VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872) will not demonstrate any new aspects of EP resources, capabilities, emergency response facilities, offsite response organizations, procedures and ERO used to accomplish the principal functional areas of emergency response including management and coordination of emergency response, accident assessment, event classification, notification of offsite authorities, assessment of the onsite and offsite impact of radiological releases, protective action recommendation development, and protective action decision making, not already demonstrated by the VEGP Unit 3 ITAAC E.3.9.08.01.03 (Item No. 872). SNC concluded that VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872) can be deleted. Like the discussion above in Sections 3.8 and 3.9, SNC also stated the following:

VEGP Unit 4 shares the same emergency planning resources, capabilities, emergency response facilities (TSC, EOF, OSC, and JIC), procedures, and ERO with VEGP Unit 3 that are used to accomplish the principal functional areas of emergency response including management and coordination of emergency response, accident assessment, event classification, notification of offsite authorities, assessment of the onsite and offsite impact of radiological releases, protective action recommendation development, and protective action decision making.

VEGP Unit 4 is of the same plant system, equipment, and core design as VEGP Unit 3, with minor differences in equipment nomenclature (e.g., equipment tag numbers) and plant parameter operating values, proximity of radioactive material release points (approximately 800 feet) within the same Owner Controlled Area, and separate VEGP Units 3 and Unit 4 Control Rooms. These differences will not impact the initiating conditions to emergency action levels or the resulting emergency classification assessment as the emergency action level scheme and emergency classification process are common to both VEGP Units 3 and Unit 4. Additionally, the VEGP Unit 4 Main Control Room emergency planning ITAAC associated with testing or inspection of the as-built equipment related to emergency classification and emergency action level scheme (ITAAC 845), emergency communications (ITAACs 847 and 848) and meteorological

information (ITAAC 862) are retained to ensure the AC associated with these program commitments are met.

In Section 2.2 of Enclosure 1, under the subsection entitled, “Technical Evaluation – VEGP Unit 4 ITAAC E.3.9.08.01.03,” SNC provided a detailed description of the requirements and guidance that form the regulatory basis for VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872).⁶ This description addresses the technical basis for requiring that a licensee conduct exercises and drills to evaluate and maintain emergency response capabilities, as reflected in AC 8.1.3. However, as addressed above, SNC stated that the proposed ITAAC change is non-technical in nature, such that the deletion of VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872) merely reflects the removal of an ITAAC requirement that is duplicated in VEGP Unit 3 ITAAC E.3.9.08.01.03 (Item No. 872).

The staff reviewed this information and agrees with SNC’s description of the applicable requirements and guidance, including the technical basis for the timely completion of an onsite partial participation exercise and demonstration of the associated exercise objectives. The staff also agrees with SNC, that the deletion of VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item 872) is non-technical in nature and does not involve changes to the approved emergency plan or the plant-specific Tier 2 DCD.

The staff compared AC 8.1.3 of VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872) against AC 8.1.3 of VEGP Unit 3 ITAAC E.3.9.08.01.03 (Item No. 872) and the four additional VEGP Unit 4 ITAAC (listed below) that SNC identified (above) as associated with the as-built VEGP Unit 4 equipment.

- VEGP Unit 4 ITAAC E.3.9.01.01.01 (Item No. 845) – Re: UFSAR Table 7.5-1 parameters retrievable in the control room.
- VEGP Unit 4 ITAAC E.3.9.03.00.01 (Item No. 847) – Re: communications established between onsite facilities (e.g., control room) and offsite agencies.
- VEGP Unit 4 ITAAC E.3.9.03.00.02 (Item No. 848) – Re: communications established from onsite facilities (e.g., control room) to the NRC headquarters and regional office EOC, and operation of the ERDS.
- VEGP Unit 4 ITAAC E.3.9.06.00.04 (Item No. 862) – Re: meteorological parameters displayed in the TSC and control room.

The staff confirmed that the requirements in AC 8.1.3 of VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872) are the same as those in AC 8.1.3 of VEGP Unit 3 ITAAC E.3.9.08.01.03 (Item No. 872) and are also addressed in one or more of the four additional VEGP Unit 4 ITAAC associated with the as-built VEGP Unit 4 equipment, identified above. The staff determined that, given the commonality of the VEGP Units 3 and 4 areas of EP resources, requirements, capabilities, emergency response facilities, procedures, and ERO, as they relate to accomplishing the principal functional areas of emergency response for the common VEGP Units 3 and 4 site (identified by SNC, above), the VEGP Unit 4 AC 8.1.3 requirements will be adequately addressed, in the absence of VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872).

The staff finds that the proposed deletion of VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872) is acceptable because the requirements in AC 8.1.3 are addressed in AC 8.1.3 of VEGP Unit 3 ITAAC E.3.9.08.01.03 (Item No. 872), VEGP Unit 4 ITAAC E.3.9.01.01.01 (Item No. 845), VEGP Unit 4 ITAAC E.3.9.03.00.01 (Item No. 847), VEGP Unit 4 ITAAC E.3.9.03.00.02 (Item

⁶ SNC’s reference to 10 CFR 50.47(b)(9) should be to 10 CFR 50.47(b)(14).

No. 848), and VEGP Unit 4 ITAAC E.3.9.06.00.04 (Item No. 862). In addition, the deletion of VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872) does not involve changes to the approved VEGP Units 3 and 4 Emergency Plan or the plant-specific AP1000 Tier 2 DCD and is consistent with the guidance in NUREG-0654. Therefore, the staff concludes that the proposed deletion of VEGP Unit 4 ITAAC E.3.9.08.01.03 (Item No. 872) is acceptable, and that there continues to be reasonable assurance that the requirements of 10 CFR 50.47(b)(14) and Section IV.F.2 of Appendix E to 10 CFR Part 50 will be met.

3.11 VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873)

10 CFR Part 50, Appendix E, Section V requires that a COL licensee submit to the Commission detailed implementing procedures for its emergency plan no less than 180 days before the scheduled date for initial loading of fuel. VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) address the COL licensee's submission to the NRC of detailed EIPs. Specifically, Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) includes AC 9.1, which states that "[t]he licensee has submitted detailed emergency implementing procedures (EIPs) for the onsite emergency plan no less than 180 days prior to fuel load." In addition, verification of the completion of this ITAAC is described in ITA No. 9.1, which states that "[a]n inspection of the submittal letter will be performed."

In Section 2.2 of Enclosure 1 to LAR-19-007, SNC stated that because VEGP Units 3 and 4 are already required to submit detailed EIPs per the requirements of 10 CFR Part 50, Appendix E, Section V, deleting the ITAAC related to EIP submittal does not affect compliance with Section V. As such, submittal of the EIPs per Section V, makes completion of ITAAC E.9.09.00.01 (Item No. 873) redundant to existing regulatory requirements. Supporting this position, SNC stated that the COLs for VEGP Units 3 and 4 contain the following License Condition 2.C:

VEGP Units 3 and 4 COL License Condition 2.C

The license is subject to, and the licensees shall comply with, all applicable provisions of the Act and the rules, regulations, and orders of the Commission, including the conditions set forth in 10 CFR Chapter I, now or hereafter in effect.

In Section 2.2 of Enclosure 1, under the subsection entitled "Technical Evaluation – VEGP Units 3 and 4 ITAAC E.3.9.09.00.01," SNC provided a description of the requirements in 10 CFR Part 50, Appendix E, Section V that form the regulatory basis for Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873). SNC also explained how this ITAAC serves to "merely confirm the existence of a submittal letter to the Commission," regarding SNC's submission of the detailed EIPs for the onsite emergency plan, and that the ITAAC is used as a tracking mechanism to validate that a mandatory regulatory submittal is complete. In addition, SNC stated that using ITAAC as a tracking mechanism does not meet the purpose of ITAAC, which is to provide reasonable assurance that the facility has been constructed and will be operated in conformity with the license, the provisions of the Act, and the Commission's rules and regulations. SNC concluded that the proposed change to delete VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) is, therefore, acceptable.

The staff reviewed SNC's justification (above) for deleting VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) and identified two separate bases that SNC used to support ITAAC deletion. First, there is no need for the ITAAC because they are redundant to existing regulatory requirements; and second, using ITAAC as a tracking mechanism to merely confirm

the existence of a submittal letter to the Commission does not meet the purpose of ITAAC. The staff does not agree with SNC that the first basis supports deletion of the ITAAC because it provides a rationale for eliminating ITAAC that is contrary to the Atomic Energy Act of 1954 (AEA). However, the staff does agree with SNC that the second basis supports deletion of the ITAAC because they do not reflect the rationale for what ITAAC should be included in the COL. The following provides the justification for the staff's conclusions.

ITAAC are Redundant to Existing Regulatory Requirements

As described above, SNC believes that the submittal of EIPs pursuant to VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) is redundant to existing regulatory requirements, such that there is no need for these ITAAC because their deletion does not affect compliance with the regulation.

The staff does not agree with this position, since it suggests that the ITAAC, which were included, in part, to verify that the as-built plant complies with NRC regulations, are unnecessary because their deletion does not affect compliance with the regulation. The basic concept of ITAAC is to reflect various regulatory requirements that cannot be confirmed as satisfied prior to physical construction of the plant. After the plant has been built, the ITAAC serve to verify that the respective regulations have been met, consistent with the AEA.

The AEA requires ITAAC in each COL and provides the NRC with flexibility to determine what ITAAC should be included, consistent with the AEA requirements. Specifically, AEA Section 185b, which is reflected in 10 CFR 52.97(b) for the issuance of a COL, requires the NRC to:

Identify within the combined license the inspections, tests, and analyses, including those applicable to emergency planning, that the licensee shall perform, and the acceptance criteria that, if met, are necessary and sufficient to provide reasonable assurance that the facility has been constructed and will be operated in conformity with the license, the Act, and the Commission's rules and regulations.

The statutory purpose of ITAAC is to verify that the as-constructed plant and EP program satisfy the AEA and the Commission's rules and regulations. Because evidence of completion of certain technical requirements cannot be demonstrated prior to construction, 10 CFR Part 52 requires COLs to contain ITAAC, which prescribe numerous verification activities for the licensee to perform to show that the facility has been safely constructed and will be safely operated. ITAAC are proposed by an applicant, approved by the NRC staff, and included in the COL. The ITAAC must provide reasonable assurance that the as-constructed facility meets the regulations; thus, the existence of a regulation is a reason to have an ITAAC.

In addition, in the September 11, 2001, Staff Requirement Memorandum (SRM) for SECY-02-0067, "Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC) for Operational Programs (Programmatic ITAAC)," the Commission stated (in part) that a review of the regulatory and legislative history reveals that ITAAC were intended to be very narrow, and that they should encompass only those matters that, by their nature, cannot be resolved prior to construction.

ITAAC serve to verify that the as-constructed plant complies with the regulations, rather than duplicating the regulations, and the VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) serve to verify that Section V of Appendix E to 10 CFR Part 50 has been met. Further, since most ITAAC directly, or indirectly, serve to verify compliance with a regulatory requirement,

SNC's principle would have the potential to eliminate most ITAAC (including beyond EP ITAAC). As such, the staff finds that SNC's reasoning for the proposed deletion of VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873), on the basis that they are redundant to Section V of Appendix E, is contrary to the AEA, and therefore, this reasoning is unacceptable for the proposed elimination of these ITAAC.

Using ITAAC to Track a Submittal Letter Does Not Meet the Purpose of ITAAC

In addition to proposing that the deletion of VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) is justified because they are redundant to existing regulatory requirements (addressed above), SNC stated that the deletion of these ITAAC is also justified because using ITAAC as a tracking mechanism to merely confirm the existence of a submittal letter to the Commission does not meet the purpose of ITAAC, which is to provide reasonable assurance that the facility has been constructed and will be operated in conformity with the license, the provisions of the Act, and the Commission's rules and regulations.

The staff agrees with this position, as it applies to submission of the EIPs to the Commission. The inspection of a submittal letter to the Commission, which confirms only that the licensee has submitted the detailed EIPs, without any relationship to the content of the EIPs, is not consistent with the original intent of ITAAC, or the AEA, because such confirmation is purely administrative. This is reflected by (1) the absence of any objective technical criteria in AC 9.1, against which the adequacy of the EIPs would be determined (via a ministerial confirmation); and (2) the fact that the NRC does not approve the EIPs after they are submitted.⁷

VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) address only the submission of the EIPs to the NRC, which is confirmed through inspection of the submittal letter, and do not include NRC's review or approval of the EIPs. As such, the closure of these two ITAAC would only require that an administrative action take place (i.e., confirming that the submittal letter has been sent), and would not address verification of any technical requirements associated with the as-constructed plant that are related to the EP operational program.

The staff determined that the VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) are distinguishable from the other EP ITAAC because they do not involve any kind of verification through an inspection, test, calculation, or analysis that is associated with a specific technical requirement or capability of the EP operational program. For example, AC 9.1 does not include any details or technical criteria, associated with the detailed implementing procedures, that the NRC would confirm have been met. The scope of VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) is limited to a simple letter review, and the NRC does not approve the details contained in the referenced EIPs. As such, the staff finds that VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) are purely administrative, and do not meet the intended purpose of EP ITAAC.

The staff further considered that, with the proposed deletion of Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873), SNC will still be required to submit the EIPs to the Commission no less than 180 days before the scheduled date for initial fuel load, as required by Section V of

⁷ While EP regulations and guidance do not require the NRC to review or approve EIPs when they are submitted pursuant to Section V of Appendix E, the staff may have an opportunity to review select EIPs in support of its observation of licensee exercises and drills (e.g., observation of various activities that SNC will perform pursuant to Units 3 and 4 ITAAC No. E.3.9.08.01.01 (Item No. 870)).

Appendix E to 10 CFR Part 50. While verification of EIP submittal can still be accomplished by an inspection of the transmittal letter, it will no longer be required pursuant to an ITAAC.

The staff finds that the proposed deletion of VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) is acceptable because they do not meet the purpose of ITAAC. Therefore, the staff concludes that the proposed deletion of VEGP Units 3 and 4 ITAAC E.3.9.09.00.01 (Item No. 873) is acceptable, and that there continues to be reasonable assurance that the requirements of 10 CFR Part 50, Appendix E, Section V will be met.

3.12 Technical Conclusion for the Proposed Changes

Based on the above, the staff determined that the changes described in LAR-19-007 do not adversely affect the staff's previous evaluations of the VEGP Units 3 and 4 Emergency Plan, such that there is reasonable assurance that the applicable requirements in 10 CFR 50.47(b) and Appendix E to 10 CFR Part 50 will be met. Therefore, the staff finds that the proposed VEGP Units 3 and 4 ITAAC changes are acceptable.

With respect to 10 CFR 52.97(b), the staff concludes that, with the proposed changes to the VEGP Units 3 and 4 EP ITAAC, there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency at VEGP Units 3 and 4, and the VEGP Units 3 and 4 EP ITAAC continue to demonstrate compliance with the requirements of 10 CFR 50.47(b) and Appendix E to 10 CFR Part 50. Therefore, within the scope of this license amendment, the staff finds that 10 CFR 52.97(b) is satisfied, and that the requested changes to the VEGP Units 3 and 4 EP ITAAC are acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations in 10 CFR 50.91(b)(2), on August 1, 2019, the Georgia State official was consulted. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment deletes redundant plant-specific EP ITAAC that are either bounded by other ITAAC or redundant to document submittal regulatory requirements. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite. Also, there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (*Federal Register*, 84 FR 31629, dated July 2, 2019). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Under 10 CFR 51.22(b), no environmental impact statement or environmental assessment needs to be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The staff has concluded, based on the considerations discussed in Section 3.0, that there is reasonable assurance that: (1) the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that 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 the health and safety of the public. Therefore, the staff finds the changes proposed in this LAR acceptable.

7.0 REFERENCES

1. Letter from Southern Nuclear Operating Company to U.S. Nuclear Regulatory Commission, "Request for License Amendment: Emergency Planning ITAAC Revisions (LAR-19-007)," dated May 10, 2019 (SNC Letter No. ND-19-0485) (ADAMS Accession No. ML19134A059).
2. Letter from U.S. Nuclear Regulatory Commission to Southern Nuclear Operating Company, "Acceptance Review of Southern Nuclear Operating Company's Request for License Amendment for Emergency Planning ITAAC Revision for the Vogtle Electric Generating Plant Units 3 and 4 (LAR-19-007) (EPID No. L-2019-LLA-0105)," dated June 3, 2019 (ADAMS Accession No. ML19154A374).
3. NUREG-0654/FEMA-REP-1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," Revision 1, November 1980 (ADAMS Accession No. ML040420012).
4. NUREG-0696, "Functional Criteria for Emergency Response Facilities," February 1981 (ADAMS Accession No. ML051390358).
5. NUREG-0737, Supplement 1, "Clarification of TMI Action Plan Requirements – Requirements for Emergency Response Capability," (Generic Letter No. 82-33), January 1983 (ADAMS Accession No. ML102560009).
6. NSIR/DPR-ISG-01, "Emergency Planning for Nuclear Power Plants," Revision 0, November 2011 (ADAMS Accession No. ML113010523).