

50-321/366



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

November 17, 1999

Mr. H. L. Sumner, Jr.
Vice President - Nuclear
Hatch Project
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
Birmingham, Alabama 35201-1295

Dear Mr. Sumner:

SUBJECT: EDWIN I. HATCH NUCLEAR PLANT, UNITS 1 AND 2, REVISIONS TO THE
UFSAR - PAST AND FUTURE COMPLIANCE WITH 10 CFR 50.71(e)(4)
(TAC NO. MA6801)

Title 10 of the *Code of Federal Regulations* (10 CFR), Subsection 50.71(e)(4) specifies that licensees are to submit revisions to their Updated Final Safety Analysis Reports (UFSARs). It requires revisions to be made "...annually or 6 months after each refueling outage provided the interval between successive updates does not exceed 24 months." In a 1997 survey we found numerous incidents of noncompliance by licensees of both single- and multi-unit plants with this schedular requirement. In many cases, licensees for multi-unit sites were basing their UFSAR submissions on the outage schedule of one unit.

We understand that some confusion about the proper interpretation of 10 CFR 50.71(e)(4) may have been caused by an NRC staff letter to Commonwealth Edison Company (ComEd) dated June 15, 1993, which endorsed a submission schedule proposed by ComEd for its plants. Neither ComEd's proposed schedule nor the staff's endorsement were in literal compliance with 10 CFR 50.71(e)(4). Nevertheless, many licensees adopted the staff position expressed in the June 15, 1993, letter and thus deviated from the schedular requirements of this regulation. Recently, the staff granted exemptions to the ComEd plants. The transmittal letter (D. Skay to O. D. Kingsley, dated July 27, 1999) states that "this [Skay] letter and the enclosed exemptions supersede our letter of June 15, 1993."

We note that you have not requested a schedular exemption to 10 CFR 50.71(e)(4) for Hatch, Units 1 and 2. This may indicate that either you intend to comply with the correct interpretation of the regulation, or you may have incorrectly interpreted the regulation in the past. The purpose of this letter is to clarify any misunderstanding of this regulation. We will exercise enforcement discretion, in accordance with Section VII.B.6 of the NRC Enforcement Policy, for any incidents of past violation of 10 CFR 50.71(e)(4). In the future we will enforce the schedular requirements as prescribed or as modified by an exemption for Hatch.

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PDR ADOCK

H. L. Sumner, Jr.

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There is no need to respond to this letter. If you have any questions, please call me at 301-415-1419.

Sincerely,

A handwritten signature in black ink, appearing to read "L. N. Olshan". The signature is written in a cursive style with a large initial "L" and "O".

Leonard N. Olshan, Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-321 and 50-366

cc: See next page

H. L. Sumner

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of past violation of 10 CFR 50.71(e)(4). In the future we will enforce the schedular requirements as prescribed, or as modified by an exemption for Hatch.

There is no need to respond to this letter. If you have any questions, please call me at 301-415-1419.

Sincerely,

Original signed by L. Olshan
Leonard N. Olshan, Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-321 and 50-366

cc: See next page

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Edwin I. Hatch Nuclear Plant

cc:

Mr. Ernest L. Blake, Jr.
Shaw, Pittman, Potts
and Trowbridge
2300 N Street, NW.
Washington, DC 20037

Mr. D. M. Crowe
Manager, Licensing
Southern Nuclear Operating
Company, Inc.
P. O. Box 1295
Birmingham, Alabama 35201-1295

Resident Inspector
Plant Hatch
11030 Hatch Parkway N.
Baxley, Georgia 31531

Mr. Charles H. Badger
Office of Planning and Budget
Room 610
270 Washington Street, SW.
Atlanta, Georgia 30334

Harold Reheis, Director
Department of Natural Resources
205 Butler Street, SE., Suite 1252
Atlanta, Georgia 30334

Steven M. Jackson
Senior Engineer - Power Supply
Municipal Electric Authority
of Georgia
1470 Riveredge Parkway, NW
Atlanta, Georgia 30328-4684

Charles A. Patrizia, Esquire
Paul, Hastings, Janofsky & Walker
10th Floor
1299 Pennsylvania Avenue
Washington, DC 20004-9500

Chairman
Appling County Commissioners
County Courthouse
Baxley, Georgia 31513

Mr. J. D. Woodard
Executive Vice President
Southern Nuclear Operating
Company, Inc.
P. O. Box 1295
Birmingham, Alabama 35201-1295

Mr. P. W. Wells
General Manager, Edwin I. Hatch
Nuclear Plant
Southern Nuclear Operating
Company, Inc.
U.S. Highway 1 North
P. O. Box 2010
Baxley, Georgia 31515

Mr. R. D. Barker
Program Manager
Fossil & Nuclear Operations
Oglethorpe Power Corporation
2100 East Exchange Place
P. O. Box 1349
Tucker, Georgia 30085-1349