



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 1, 2001

Mr. J. B. Beasley, Jr.
Vice President
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
Birmingham, Alabama 35201-1295

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2 RE: ISSUANCE OF
AMENDMENTS (TAC NOS. MB0550 AND MB0551)

Dear Mr. Beasley:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 118 to Facility Operating License NPF-68 and Amendment No. 96 to Facility Operating License NPF-81 for the Vogtle Electric Generating Plant, Units 1 and 2. The amendments consist of changes to the Technical Specifications in response to your application dated November 16, 2000, as supplemented by letter dated January 11, 2001.

The amendments revise Technical Specification 5.5.14, "Technical Specification Bases Control Program" to provide consistency with the changes to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.59 as published in the *Federal Register* (64 FR 53582) dated October 4, 1999. Specifically, the amendments remove the term "unreviewed safety question" from TS 5.5.14.b.2. In addition, two editorial corrections are also made on page 5.5-18.

A copy of the related Safety Evaluation is also enclosed. A Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ramin Assa", is written over a horizontal line.

Ramin Assa, Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-424 and 50-425

Enclosures:

1. Amendment No. 118 to NPF-68
2. Amendment No. 96 to NPF-81
3. Safety Evaluation

cc w/encls: See next page

NRR-058

March 1, 2001

Mr. J. B. Beasley, Jr.
Vice President
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
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Sincerely,

/RA by F. Rinaldi for: /

Ramin Assa, Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-424 and 50-425

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DOCUMENT NAME: G:\PDII-1\VOGTLE\MB0550-AMD.wpd

OFFICE	PDII-1/PM	PDII-1/LA	OGC ^{also with comments}	PDII-1/SC(A)
NAME	RAssa:cn <i>RA</i>	CHawes <i>CH</i>	<i>RWeisman</i>	MBanerjee <i>MB</i>
DATE	1/31/01	1/30/01	Feb/13/01	2/23/01

OFFICIAL RECORD COPY

Vogtle Electric Generating Plant

cc:

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

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

GEORGIA POWER COMPANY

OGLETHORPE POWER CORPORATION

MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA

CITY OF DALTON, GEORGIA

VOGTLE ELECTRIC GENERATING PLANT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 118
License No. NPF-68

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Vogtle Electric Generating Plant, Unit 1 (the facility) Facility Operating License No. NPF-68 filed by the Southern Nuclear Operating Company, Inc. (the licensee), acting for itself, Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, and City of Dalton, Georgia (the owners), dated November 16, 2000, as supplemented by letter dated January 11, 2001, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

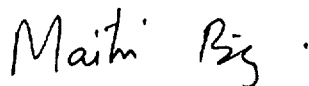
2. Accordingly, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-68 is hereby amended to read as follows:

Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 118 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. Southern Nuclear shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Maitri Banerjee, Acting Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance: March 1, 2001



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

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

GEORGIA POWER COMPANY

OGLETHORPE POWER CORPORATION

MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA

CITY OF DALTON, GEORGIA

VOGTLE ELECTRIC GENERATING PLANT, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 96
License No. NPF-81

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Vogtle Electric Generating Plant, Unit 2 (the facility) Facility Operating License No. NPF-81 filed by the Southern Nuclear Operating Company, Inc. (the licensee), acting for itself, Georgia Power Company Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, and City of Dalton, Georgia (the owners), dated November 16, 2000, as supplemented by letter dated January 11, 2001, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-81 is hereby amended to read as follows:

Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 96 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. Southern Nuclear shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Maitri Banerjee

Maitri Banerjee, Acting Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance: March 1, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 118

FACILITY OPERATING LICENSE NO. NPF-68

DOCKET NO. 50-424

AND

TO LICENSE AMENDMENT NO. 96

FACILITY OPERATING LICENSE NO. NPF-81

DOCKET NO. 50-425

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Insert page

5.5-18

Remove page

5.5-18

5.5 Programs and Manuals

5.5.12 Explosive Gas and Storage Tank Radioactivity Monitoring Program (continued)

Liquid Radwaste Treatment System is limited to ≤ 10 curies per tank, excluding tritium and dissolved or entrained noble gases. This surveillance program provides assurance that in the event of an uncontrolled release of the tank's contents, the resulting concentrations would be less than the limits of 10 CFR 20, Appendix B, Table 2, Column 2, at the nearest potable water supply and the nearest surface water supply in an unrestricted area.

The provisions of SR 3.0.2 and SR 3.0.3 are applicable to the Explosive Gas and Storage Tank Radioactivity Monitoring Program surveillance frequencies.

5.5.13 Diesel Fuel Oil Testing Program

A diesel fuel oil testing program to implement required testing of both new fuel oil and stored fuel oil shall be established. The program shall include sampling and testing requirements, and acceptance criteria, all in accordance with applicable ASTM Standards. The purpose of the program is to establish the following:

- a. Acceptability of new fuel oil for use prior to addition to storage tanks by determining that the fuel oil has:
 1. an API gravity or an absolute specific gravity within limits, or an API gravity or specific gravity within limits when compared to the supplier's certificate;
 2. a flash point within limits for ASTM 2D fuel oil, and, if gravity was not determined by comparison with supplier's certification, a kinematic viscosity within limits for ASTM 2D fuel oil; and
 3. a clear and bright appearance with proper color.
- b. Other properties for ASTM 2D fuel oil are within limits within 30 days following sampling and addition to storage tanks; and
- c. Total particulate concentration of the fuel oil is ≤ 10 mg/l when tested every 31 days.

The provisions of SR 3.0.2 and SR 3.0.3 are applicable to the Diesel Fuel Oil Testing Program surveillance frequencies.

(continued)

5.5 Programs and Manuals

5.5.14 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not require either of the following:
 - 1. a change in the TS incorporated in the license; or
 - 2. a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59.
- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the FSAR.
- d. Proposed changes that meet the criteria of (b) above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with 10 CFR 50.71(e).

5.5.15 Safety Function Determination Program (SFDP)

This program ensures loss of safety function is detected and appropriate actions taken. Upon entry into LCO 3.0.6, an evaluation shall be made to determine if loss of safety function exists. Additionally, other appropriate actions may be taken as a result of the support system inoperability and corresponding exception to entering supported system Condition and Required Actions. This program implements the requirements of LCO 3.0.6. The SFDP shall contain the following:

- a. Provisions for cross train checks to ensure a loss of the capability to perform the safety function assumed in the accident analysis does not go undetected;
- b. Provisions for ensuring the plant is maintained in a safe condition if a loss of function condition exists;

(continued)



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WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 118 TO FACILITY OPERATING LICENSE NPF-68
AND AMENDMENT NO. 96 TO FACILITY OPERATING LICENSE NPF-81
SOUTHERN NUCLEAR OPERATING COMPANY, INC., ET AL.
VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2
DOCKET NOS. 50-424 AND 50-425

1.0 INTRODUCTION

By letter dated November 16, 2000, as supplemented by letter dated January 11, 2001, Southern Nuclear Operating Company, Inc., et al. (the licensee) proposed license amendments to change the Technical Specifications (TS) for the Vogtle Electric Generating Plant (Vogtle), Units 1 and 2. The proposed changes would revise TS 5.5.14, "Technical Specification Bases Control Program" to provide consistency with the changes to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.59 as published in the *Federal Register* (Volume 64 FR 53582) dated October 4, 1999. Specifically, the amendments remove the term "unreviewed safety question" from TS 5.5.14.b.2. In addition, two editorial corrections are also made on page 5.5-18. First, the letter "d." is deleted from TS 5.5.15.b. Second, the phrase "changes do not involve" is replaced with "changes do not require" in TS 5.5.14.b.

The amendment is consistent with the Nuclear Energy Institute (NEI) Technical Specification Task Force (TSFT) Standard Technical Specification Change Traveler, TSTF-364 Revision 0, "Revision to TS Bases Control Program to Incorporate Changes to 10 CFR 50.59." The approval of TSTF-364 Revision 0 was documented in NRC letter to Mr. James Davis, Director Operations Department - NEI, dated June 16, 2000.

The supplemental letter dated January 11, 2001, provided clarifying information that did not change the scope of the November 16, 2000, application nor the initial proposed no significant hazards consideration determination.

2.0 BACKGROUND

10 CFR 50.59 establishes the conditions under which licensees may make changes to the facility or procedures and conduct tests or experiments without prior NRC approval.

In 1999, the NRC revised the regulation (*Federal Register* - Volume 64, Number 191 dated October 4, 1999) controlling changes, tests and experiments performed by nuclear plant licensees. The rule changes clarified the specific types of changes, tests, and experiments

conducted at a licensed facility that require evaluation, and revised the criteria that licensees must use to determine when NRC approval is needed before such changes, tests or experiments can be implemented. The final rule also added definitions for terms that have been subject to differing interpretations, and reorganizes the rule language for clarity. Proposed changes, tests and experiments that satisfy the definitions and one or more of the criteria in the rule must be reviewed and approved by the NRC before implementation.

The Bases Control Program required by the existing TS 5.5.14 allows the licensee to make changes to the Bases without NRC approval provided the changes do not involve a change to the updated Final Safety Analysis Report (FSAR) or Bases that involves an "unreviewed safety question" as defined in 10 CFR 50.59. With the revisions to 10 CFR 50.59, the term "unreviewed safety question" was eliminated. Therefore, TS 5.5.14 should be revised consistent with the revision to 10 CFR 50.59.

3.0 EVALUATION

Description of Changes:

TS 5.5.14, "Technical Specifications Bases Control Program," requires a program for processing changes to the Bases of the Technical Specifications.

TS 5.5.14.b currently states: "Licensees may make changes to the Bases without prior NRC approval provided the changes do not involve either of the following:

1. a change in the TS incorporated in the license; or
2. a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59."

TS 5.5.14.b is revised to state: "Licensees may make changes to the Bases without prior NRC approval provided the changes do not require either of the following:

1. a change in the TS incorporated in the license; or
2. a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59."

The Commission's Final Rule dated October 4, 1999, on the revision of 10 CFR 50.59 affects the wording of the "Technical Specification Bases Control Program." In that revision, the Commission removed the term "unreviewed safety question." The licensee's amendment request dated November 16, 2000, merely removes this phrase from TS 5.5.14, while retaining the citation of 50.59. The revised 50.59 continues to provide appropriate and adequate control

of changes to TS Bases. The staff has reviewed the licensee's submittals that cited the Commission's final rule dated October 4, 1999, revising 10 CFR 50.59. In addition, the staff's review finds that the proposed amendment request is consistent with TSTF-364 Revision 0. Therefore, the staff concludes that this amendment request is acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Georgia State official was notified of the proposed issuance of the amendments. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment relates to changes in recordkeeping, reporting, or administrative procedures or requirements. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding (65 FR 77927). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Angela T. Chu

Date: March 1, 2001