

August 28, 2006

Mr. D. E. Grissette
Vice President
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
Birmingham, AL 35201-1295

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2, ISSUANCE OF
AMENDMENTS REGARDING STEAM GENERATOR TUBE INTEGRITY (TAC
NOS. MD1075 AND MD1076)

Dear Mr. Grissette:

The Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment No. 144 to Facility Operating License NPF-68 and Amendment No. 124 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 (TSs) in response to your application dated March 29, 2006, and supplemented on June 5, 2006.

The amendments revise the TSs to adopt NRC-approved Revision 4 to Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-449, "Steam Generator Tube Integrity." The availability of this TS improvement was announced in the *Federal Register* on May 6, 2005 (70 FR 24126) as part of the consolidated line item improvement process.

The amendments include changes to the TS definition of Leakage; TS 3.4.13, "RCS (Reactor Coolant System) Operational Leakage"; TS 5.5.9, "Steam Generator (SG) Tube Surveillance Program"; and TS 5.6.10, "Steam Generator Tube Inspection Report"; and adds TS 3.4.17, "Steam Generator (SG) Tube Integrity." These changes are necessary in order to implement the guidance for the industry initiative on NEI (Nuclear Energy Institute) 97-06, "Steam Generator Program Guidelines."

D. E. Grissette

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,

/RA/

Christopher Gratton, Sr. Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-424 and 50-425

Enclosures:

1. Amendment No. 144 to NPF-68
2. Amendment No. 124 to NPF-81
3. Safety Evaluation

cc w/encls: See next page

D. E. Grissette

-2-

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,

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cc w/encls: See next page

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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. 144
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 March 29, 2006, as supplemented on June 5, 2006, 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. 144, 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

/RA/

Evangelos C. Marinos, Chief
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to License No. NPF-68
and the Technical Specifications

Date of Issuance: August 28, 2006

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. 124
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 March 29, 2006, as supplemented on June 5, 2006, 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. 124, 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

/RA/

Evangelos C. Marinos, Chief
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to License No. NPF-81
and the Technical Specifications

Date of Issuance: August 28, 2006

ATTACHMENT
TO LICENSE AMENDMENT NO. 144
FACILITY OPERATING LICENSE NO. NPF-68
DOCKET NO. 50-424
AND
TO LICENSE AMENDMENT NO. 124
FACILITY OPERATING LICENSE NO. NPF-81
DOCKET NO. 50-425

Replace the following pages of the Licenses and the Appendix A Technical Specifications (TSs) with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove Pages

License

License No. NPF-68, page 4
License No. NPF-81, page 4

TSs

ii
v
1.1-3
1.1-4
3.4.13-1
3.4.13-2
-
-
5.5-6 through 5.5-23
5.6-6

Insert Pages

License

License No. NPF-68, page 4
License No. NPF-81, page 4

TSs

ii
v
1.1-3
1.1-4
3.4.13-1
3.4.13-2
3.4.17-1
3.4.17-2
5.5-6 through 5.5-18
5.6-6

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO

AMENDMENT NO. 144 TO FACILITY OPERATING LICENSE NPF-68

AND

AMENDMENT NO. 124 TO FACILITY OPERATING LICENSE NPF-81

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2

DOCKET NOS. 50-424 AND 50-425

1.0 INTRODUCTION

By application dated March 29, 2006 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML06080447), as supplemented by letter dated June 5, 2006 (ADAMS Accession No. ML061570032), Southern Nuclear Operating Company, Inc. (Southern Nuclear, the licensee), requested changes to the Technical Specifications (TSs) for the Vogtle Electric Generating Plant, Units 1 and 2 (Vogtle). The supplement dated June 5, 2006, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the Nuclear Regulatory Commission (NRC) staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on April 25, 2006 (71 FR 23961).

2.0 REGULATORY EVALUATION

The background, description, and applicability of the proposed changes associated with the steam generator (SG) tube integrity issue and the applicable regulatory requirements were included in the NRC staff's model safety evaluation (SE) published in the *Federal Register* on March 2, 2005 (70 FR 10298). The "Notice of Availability of Model Application Concerning Technical Specification; Improvement To Modify Requirements Regarding Steam Generator Tube Integrity; Using the Consolidated Line Item Improvement Process," was published in the *Federal Register* on May 6, 2005 (70 FR 24126), which made the model SE available to licensees for use.

3.0 TECHNICAL EVALUATION

3.1 Overview

In its March 29, 2006, application, and June 5, 2006, supplement, the licensee proposed changes to the TSs that are modeled after Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-449, "Steam Generator Tube Integrity." There

were minor differences between TSTF-449 and the licensee's application. These included differences in the facility licensing basis (than that discussed in TSTF-449) and differences in TS numbering, since the licensee has a different TS format (than that assumed in TSTF-449). With respect to the differences in the facility licensing basis, the differences did not invalidate the technical evaluation on TSTF-449; rather they resulted in the licensee having to slightly deviate from some of the modifications discussed in TSTF-449. For example, in the Bases section for Reactor Coolant System Operational Leakage, TSTF-449 assumed there was only one pre-existing note to one of the surveillance requirements. Since the licensee had two pre-existing notes associated with this surveillance requirement, they needed to modify the TSTF-449 wording to accommodate their existing licensing Bases. Another example is that TSTF-449 had slight modifications (clarifications) to the wording in the Applicable Safety Analyses Bases for Reactor Coolant System Operational Leakage, since the licensee did not have the corresponding paragraphs in their version of the Bases, these additional clarifications were not adopted. Since these differences were administrative in nature or they were consistent with the plant's licensing basis (e.g., in the level of detail incorporated into the TS Bases), the NRC staff determined they were acceptable.

In addition to these minor changes, the licensee proposed to include a previously approved alternate repair criteria into their proposed new TSs. The structure of TSTF-449 allows licensees to incorporate alternate repair criteria and methods into the TSTF-449 format. The NRC staff reviewed the licensee's proposal to include this alternate repair criteria in their new TS and determined that the inspection and repair criteria that were previously approved were appropriately incorporated into the TSTF-449 format. As a result, the NRC staff determined that these proposed changes were acceptable.

In summary, the staff determined that the model SE published in the *Federal Register* on March 2, 2005, is applicable to this review and finds the proposed changes acceptable.

Consistent with TSTF-449, the proposed TS changes include: (1) a revised definition of LEAKAGE in TS 1.1, (2) a revised TS 3.4.13, "RCS [Reactor Coolant System] Operational LEAKAGE," (3) a new TS 3.4.17, "Steam Generator (SG) Tube Integrity," (4) a revised TS 5.5.9, "Steam Generator (SG) Program," (5) a revised TS 5.6.10, "Steam Generator Tube Inspection Report," and (6) revised Table of Contents pages to reflect the proposed changes.

3.2 Conclusion

The proposed TS changes establish a programmatic, largely performance-based regulatory framework for ensuring SG tube integrity is maintained. The NRC staff finds that it addresses key shortcomings of the current framework by ensuring that SG programs are focused on accomplishing the overall objective of maintaining tube integrity. It incorporates performance criteria for evaluating tube integrity that the NRC staff finds consistent with the structural margins and the degree of leak tightness assumed in the current plant licensing basis. The NRC staff finds that maintaining these performance criteria provides reasonable assurance that the SGs can be operated safely without increase in risk.

The revised TSs will contain limited specific details concerning how the SG Program is to achieve the required objective of maintaining tube integrity; the intent being that the licensee will have the flexibility to determine the specific strategy for meeting this objective. However, the NRC staff finds that the revised TSs include sufficient regulatory constraints on the

establishment and implementation of the SG Program such as to provide reasonable assurance that tube integrity will be maintained.

Failure to meet the performance criteria will be reportable pursuant to the requirements in Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Sections 50.72 and 50.73. The NRC reactor oversight process provides a process by which the NRC staff can verify that the licensee has identified any SG Program deficiencies that may have contributed to such an occurrence and that appropriate corrective actions have been implemented.

In conclusion, the NRC staff finds that the TS changes proposed by the licensee in its March 29, 2006, application, and June 5, 2006, supplement, conform to the requirements of 10 CFR 50.36 and establish a TS framework that will provide reasonable assurance that SG tube integrity is maintained without undue risk to public health and safety.

The licensee included in its application the revised TS Bases to be implemented with the TS change. The NRC staff finds that the TS Bases Control Program is the appropriate process for updating the affected TS Bases pages and has, therefore, not included the affected Bases pages with this amendment.

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 amendments change a requirement with respect to the installation or use of facility components located within the restricted area as defined in 10 CFR Part 20 and change surveillance requirements. The NRC staff has determined that the amendments involve no significant increase in the amounts and no significant change in the types of any effluents that may be released offsite and that there is no significant increase in individual or cumulative occupational radiation exposure. 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 (71 FR 23961, April 25, 2006). The amendments also relate to changes in recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) and 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.

7.0 REFERENCES

A complete list of references used to complete this review can be found in the NRC's model SE published in the *Federal Register* on March 2, 2005 (70 FR 10298).

Principal Contributor: Aron Lewin

Date: August 28, 2006

Vogtle Electric Generating Plant, Units 1 & 2

cc:

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