



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

April 14, 2014

Mr. C. R. Pierce  
Regulatory Affairs Director  
Southern Nuclear Operating Co., Inc.  
P.O. Box 1295, Bin 038  
Birmingham, AL 35201-1295

**SUBJECT: JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2 - RELAXATION OF CERTAIN SCHEDULE REQUIREMENTS FOR ORDER EA-12-049 "ISSUANCE OF ORDER TO MODIFY LICENSES WITH REGARD TO REQUIREMENTS FOR MITIGATION STRATEGIES FOR BEYOND DESIGN BASIS EXTERNAL EVENTS"**

Dear Mr. Pierce:

By letter dated March 12, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12054A735), the U.S. Nuclear Regulatory Commission (NRC) ordered Southern Nuclear Operating Company, Inc. (SNC, or the licensee) to take certain actions at the Joseph M. Farley Nuclear Plant (Farley), Units 1 and 2, associated with the Fukushima Near-Term Task Force Recommendations. Order EA-12-049 directed that actions be taken by licensees to develop and implement strategies to maintain or restore core cooling, reactor coolant system inventory, containment cooling, and spent fuel pool (SFP) cooling capabilities during beyond design basis external events (BDBEE).

Section IV of the order states that licensees proposing to deviate from requirements contained in NRC Order EA-12-049 may request that the Director, Office of Nuclear Reactor Regulation, relax or rescind certain requirements. By letter dated February 26, 2014 (ADAMS Accession No. ML14058A007), the licensee informed the NRC of its request for a schedule relaxation for full implementation of the order requirements for Farley Units 1 and 2, as prescribed in Section IV A.2 of NRC Order EA-12-049. SNC has requested an extension of one additional refueling cycle for full implementation for each unit, which moves the Unit 1 implementation date from the spring of 2015 to the fall of 2016, and the Unit 2 implementation date from the fall of 2014 to the spring of 2016.

SNC's letter dated February 26, 2014, provided the following basis for the granting of schedule relaxation. As part of the mitigation strategies for Farley, the low-leakage reactor coolant pump (RCP) shutdown seals are relied upon to ensure that the safety functions of core cooling and containment integrity will be maintained for BDBEE. Due to recent post-operational testing of the RCP shutdown seals at Farley and elsewhere, there is a need to enhance the seal design. The total implications of the RCP shutdown seal testing results are currently being assessed. Resolution of these issues will require additional analytical work. Procedural development and training will also be necessary. These factors also affect SNC's ability to safely plan and implement activities supporting the mitigation strategies. Based on this timeline, there is uncertainty that the full implementation of the mitigation strategies in accordance with NRC Order EA-12-049 would be completed by the order requirement dates. The requested extensions would provide additional time to resolve industry issues; design, test and qualify the

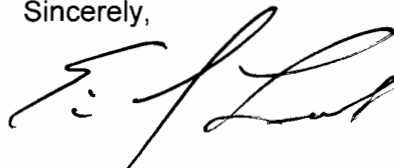
new or modified seals; and for SNC to safely plan, schedule and install the new or modified seals at Farley Units 1 and 2.

In light of the facts presented in your February 26, 2014, letter, the NRC staff has determined that SNC has presented good cause for a relaxation of the order implementation dates. The extensions would provide additional time to resolve the RCP seal performance issues and fully design and safely implement modifications at Farley. These are significant actions intended to enhance the licensee's capability to cope with a BDBEE. The NRC staff also considered that, following the accident at Fukushima Dai-ichi, the NRC concluded that a sequence of events such as the Fukushima Dai-ichi accident is unlikely to occur in the United States, based on the current regulatory requirements and existing plant capabilities. Therefore, the extension of time of one additional refueling outage for Farley Units 1 and 2 to achieve full implementation of the requirements of the mitigation strategies order is justified and completion before December 2016 is consistent with the intent of the order. These circumstances lead the NRC staff to approve the relaxation of the order implementation dates for both units.

Accordingly, based upon the authority granted to the Director, Office of Nuclear Reactor Regulation, the requirement for full order implementation is relaxed for Farley Unit 1 until the completion of the fall 2016 refueling outage, and for Farley Unit 2 until the completion of the spring 2016 refueling outage.

If you have any questions, please contact Jason Paige at 301-415-5888.

Sincerely,

A handwritten signature in black ink, appearing to read "E. J. Leeds", written in a cursive style.

Eric J. Leeds, Director  
Office of Nuclear Reactor Regulation

Docket Nos. 50-348 and 50-364

cc: Distribution via Listserv

new or modified seals; and for SNC to safely plan, schedule and install the new or modified seals at Farley Units 1 and 2.

In light of the facts presented in your February 26, 2014, letter, the NRC staff has determined that SNC has presented good cause for a relaxation of the order implementation dates. The extensions would provide additional time to resolve the RCP seal performance issues and fully design and safely implement modifications at Farley. These are significant actions intended to enhance the licensee's capability to cope with a BDBEE. The NRC staff also considered that, following the accident at Fukushima Dai-ichi, the NRC concluded that a sequence of events such as the Fukushima Dai-ichi accident is unlikely to occur in the United States, based on the current regulatory requirements and existing plant capabilities. Therefore, the extension of time of one additional refueling outage for Farley Units 1 and 2 to achieve full implementation of the requirements of the mitigation strategies order is justified and completion before December 2016 is consistent with the intent of the order. These circumstances lead the NRC staff to approve the relaxation of the order implementation dates for both units.

Accordingly, based upon the authority granted to the Director, Office of Nuclear Reactor Regulation, the requirement for full order implementation is relaxed for Farley Unit 1 until the completion of the fall 2016 refueling outage, and for Farley Unit 2 until the completion of the spring 2016 refueling outage.

If you have any questions, please contact Jason Paige at 301-415-5888.

Sincerely,  
/RA/

Eric J. Leeds, Director  
Office of Nuclear Reactor Regulation

Docket Nos. 50-348 and 50-364

cc: Distribution via Listserv

DISTRIBUTION

PUBLIC

LPL2-1 R/F

RidsNrrDorLpl2-1Resource

RidsNrrPMFarley Resource

RidsNrrLASLent Resource

**ADAMS Accession No. ML14070A475**

RidsRgn2MailCenter Resource

JPaige, NRR/MSD

JBowen, NRR/MSD

RidsAcrcAcnw\_MailCTR Resource

OFFICE	NRR/MSD/PM	NRR/MSD/PM	NRR/MSD/LA	NRR/MSD/MSPB/BC
NAME	RHall	JPaige	SLent	JBowen
DATE	03/11/14	03/12/14	03/11/14	03/14/14
OFFICE	OE	OGC	MSD/D	NRR/D
NAME	RFretz	CHair	JDavis	ELeeds
DATE	03/18/14	03/25/14	03/30/14	04/14/14

OFFICIAL RECORD COPY