



**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: VOGTLE ELECTRIC GENERATING PLANT, UNIT 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 Vogtle Electric Generating Plant (Vogtle), 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. ML14057A780), the licensee informed the NRC of its request for a schedule relaxation for full implementation of the order requirements for Vogtle Unit 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, which moves the Vogtle 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, the low-leakage reactor coolant pump (RCP) shutdown seals to be installed at Vogtle will be relied upon to ensure that the safety functions of core cooling and containment integrity will be maintained for a BDBEE. Due to recent post-operational testing of the RCP shutdown seals at other plants, 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 date. The requested extension would provide additional time to resolve industry issues; design, test and qualify the

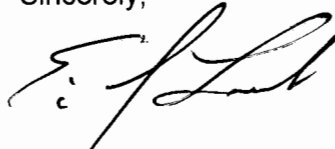
new or modified seals; and for SNC to safely plan, schedule and install the new RCP shutdown seals at Vogtle Unit 2.

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 date. The extension would provide additional time to resolve the RCP seal performance issues and fully design and safely implement modifications at Vogtle Unit 2. 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 Vogtle Unit 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 date.

Accordingly, based upon the authority granted to the Director, Office of Nuclear Reactor Regulation, the requirement for full order implementation is relaxed for Vogtle Unit 2 until the completion of the spring 2016 refueling outage. The licensee did not request relaxation of the requirement for full order implementation for Vogtle Unit 1, so that requirement, for full implementation by the completion of the Unit 1 fall 2015 refueling outage, is unchanged.

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 over a horizontal line.

Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

Docket No. 50-425

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Sincerely,
/RA/

Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

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