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NND-15-0231  
10 CFR 50.12, 50.90, 52.3, 52.7, 52.63, 52.98  
and 10 CFR Part 52, Appendix. D, Section VIII

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Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3  
Combined License Nos. NPF-93 and NPF-94  
Docket Nos. 52-027 & 52-028

Subject: VCSNS Units 2 & 3 LAR 15-07: Request for License Amendment and  
Exemption: Reclassification of Tier 2\* Information on Fire Area Figures

Reference: 1. ND-15-0436 SNC Units 3 & 4 LAR 15-007: Request for License Amendment  
and Exemption regarding Reclassification of Tier 2\* Information on Fire Area  
Figures, Dated March 6, 2015 (Accession Number ML15065A362)

Pursuant to 10 CFR 52.98(c) and in accordance with 10 CFR 50.90, South Carolina Electric & Gas Company (SCE&G), the licensee for Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3, requests an amendment to Combined License Numbers NPF-93 and NPF-94, for VCSNS Units 2 and 3, respectively. Pursuant to the provisions of 10 CFR 52.7, 50.12, and 52.63, an exemption from 10 CFR Part 52, Appendix D, Section VIII.B.6.b, Item (4), is also requested.

The requested amendment and exemption, identical in content to Southern Nuclear Operating Company's (SNC) LAR (Reference 1), identify portions of the licensing basis that would more appropriately be classified as Tier 2, specifically the Tier 2\* information on Fire Area Figures 9A-1, 9A-2, 9A-3, 9A-4, 9A-5, and 9A-201 in the VCSNS 2 and 3 Updated Final Safety Analysis Report. With the reclassification, prior NRC approval would continue to be required for any safety significant changes to the Fire Area Figures because any revisions to that information would follow the Tier 2 change process provided in 10 CFR Part 52, Appendix D, Section VIII.B.5.

Historically, SCE&G has submitted license amendment and exemption requests in separate documents, following templates based on guidance in NEI 06-02. In the interests of brevity and readability, SCE&G is combining this amendment and exemption request into a single document, Enclosure 1.

SCE&G requests staff approval of this license amendment and exemption by January 15, 2016, and would implement them within thirty days of issuance. This license amendment and exemption are not tied to any particular construction activity; however, any delay in the issuance would also delay the benefits.

In accordance with 10 CFR 50.91, SCE&G is notifying the State of South Carolina of this LAR by transmitting a copy of this letter and enclosures to the designated State Official.

Should you have any questions, please contact Mr. Justin Bouknight by telephone at (803) 941-9828, or by email at justin.bouknight@scana.com

This letter contains no regulatory commitments.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 4<sup>th</sup> day of May, 2015.

Sincerely,



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Manager, Nuclear Licensing  
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MHK/ARR/mhk

Enclosure 1: Request for License Amendment and Exemption: Reclassification of Tier 2\*  
Information on Fire Area Figures (LAR 15-07)

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**South Carolina Electric & Gas Company**  
**Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3**

**NND-15-0231**

**Enclosure 1**

**Request for License Amendment and Exemption**  
**Reclassification of Tier 2\* Information on Fire Area Figures**  
**(LAR 15-07)**

**(This enclosure contains 15 pages including this cover page)**

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## **1.0 Executive Summary**

South Carolina Electric & Gas Company (SCE&G) requests a permanent exemption from 10 CFR Part 52, Appendix D, Section VIII.B.6.b, Item (4), which requires prior NRC approval for all departures from Tier 2\* information related to Fire Areas. SCE&G proposes a site-specific license amendment that would reclassify the Tier 2\* Fire Area Figures 9A-1 through 9A-5 and 9A-201 as Tier 2 in their entirety. In the interests of brevity and readability, SCE&G is combining this license amendment request ("LAR") and exemption request into a single document.

## **2.0 Background**

The NRC issued the Part 52 license to SCE&G's VCSNS Units 2 and 3 in March 2012. Changes to the licensing bases are governed, in part, by 10 CFR Part 52, Appendix D, Section VIII.B. This portion of the regulations specifies the change process for Tier 2\* information and requires prior NRC approval for all changes to Tier 2\* information.

The Commission employed the Tier 2\* designation to capture certain AP1000 design information existing in Tier 2 that the Commission did not want changed without prior approval. See 71 Fed. Reg. 4474 (Jan. 27, 2006). But three years' experience has shown that not all changes to Tier 2\* information have an impact on the safety significant nature of the information. As such, SCE&G is evaluating where information designated as Tier 2\* is more appropriately designated as Tier 2.

This LAR and exemption request addresses that problem in the narrow context of Fire Area matters. Towards that end, SCE&G proposes the reclassification of Updated Final Safety Analysis Report (UFSAR) Fire Area Figures 9A-1, 9A-2, 9A-3, 9A-4, 9A-5, and 9A-201 to Tier 2.

## **3.0 Detailed Description and Technical Evaluation**

The fire protection system is classified as a non-safety related, non-seismic system. The primary objectives of the fire protection program are to prevent fires and minimize the consequences should a fire occur. The fire protection program provides protection so that the plant can be shut down safely following a fire.

The plant is subdivided into Fire Areas to isolate potential fires and minimize the risk of the spread of fire and the resultant consequential damage from corrosive gases, fire suppression agents, smoke, and radioactive contamination. Fire barriers are provided in accordance with Branch Technical Position (BTP) CMEB 9.5-1.

Fire Areas are depicted in UFSAR Figures 9A-1, 9A-2, 9A-3, 9A-4, 9A-5, and 9A-201. These figures are designated as Tier 2\* by the use of italicized font in the title block and an associated note. The UFSAR indicates that not all information on these Tier 2\* figures is considered to be Tier 2\* information, but the delineation between Tier 2 information and Tier 2\* information is not clearly specified in the UFSAR nor any other licensing basis document.

SCE&G proposes to further resolve the ambiguity on Fire Area Figures 9A-1 through 9A-5 and 9A-201 by reclassifying those figures, in their entirety, as Tier 2 information.

This reclassification would make all Fire Area Figure changes subject to the existing change control processes governing Tier 2 information, set forth at 10 CFR Part 52 Appendix D, VIII.B.5. Under that change control process, any change meeting the following criteria would require prior NRC approval:

VIII.B.5.b. A proposed departure from Tier 2, other than one affecting resolution of a severe accident issue identified in the plant-specific DCD or one affecting information required by 10 CFR 52.47(a)(28) to address 10 CFR 50.150, requires a license amendment if it would:

- (1) Result in more than a minimal increase in the frequency of occurrence of an accident previously evaluated in the plant-specific DCD;
- (2) Result in more than a minimal increase in the likelihood of occurrence of a malfunction of a structure, system, or component (SSC) important to safety and previously evaluated in the plant-specific DCD;
- (3) Result in more than a minimal increase in the consequences of an accident previously evaluated in the plant-specific DCD;
- (4) Result in more than a minimal increase in the consequences of a malfunction of an SSC important to safety previously evaluated in the plant-specific DCD;
- (5) Create a possibility for an accident of a different type than any evaluated previously in the plant-specific DCD;
- (6) Create a possibility for a malfunction of an SSC important to safety with a different result than any evaluated previously in the plant-specific DCD;
- (7) Result in a design basis limit for a fission product barrier as described in the plant-specific DCD being exceeded or altered; or
- (8) Result in a departure from a method of evaluation described in the plant-specific DCD used in establishing the design bases or in the safety analyses.

VIII.B.5.c. A proposed departure from Tier 2 affecting resolution of an ex-vessel severe accident design feature identified in the plant-specific DCD, requires a license amendment if:

- (1) There is a substantial increase in the probability of an ex-vessel severe accident such that a particular ex-vessel severe accident previously reviewed and determined to be not credible could become credible; or
- (2) There is a substantial increase in the consequences to the public of a particular ex-vessel severe accident previously reviewed.



The term “departure from a method of evaluation” as used in Section VIII.B.5.b.8 above has a specific definition, as provided in Section II.G of the design certification rule. That definition is as follows:

10 CFR 52, Appendix D, Section II.G. Departure from a method of evaluation described in the plant-specific DCD used in establishing the design bases or in the safety analyses means:

1. Changing any of the elements of the method described in the plant-specific DCD unless the results of the analysis are conservative or essentially the same; or
2. Changing from a method described in the plant-specific DCD to another method unless that method has been approved by the NRC for the intended application.

Given the existing ambiguity surrounding the classification of information on Fire Area Figures 9A-1 through 9A-5 and 9A-201, combined with the protections offered by the Section VIII.B.5 (Tier 2 change control process), it is appropriate and consistent with safety to reclassify Fire Area Figures 9A-1 through 9A-5 and 9A-201 as Tier 2.

#### **4.0 Legal justification for the exemption**

10 CFR § 52.63(b)(1) states that the NRC may grant exemptions provided that the exemption complies with 10 CFR § 52.7, which references the requirements of 10 CFR § 50.12. NRC may grant exemptions provided the following conditions are met:

- 1) the exemption is authorized by law [§ 50.12(a)(1)];
- 2) the exemption will not present an undue risk to the health and safety of the public [§ 50.12(a)(1)];
- 3) the exemption is consistent with the common defense and security [§ 50.12(a)(1)]; and
- 4) special circumstances are present [§ 50.12(a)(2)].

The requested exemption from 10 CFR Part 52, Appendix D, satisfies the criteria for granting specific exemptions, as described below.

##### **4.1 This exemption is authorized by law.**

The NRC has authority under 10 CFR §§ 52.63, 52.7, and 50.12 to grant exemptions from the requirements of NRC regulations. Specifically, 10 CFR §§ 52.63(b)(1), 52.7, and 50.12 state that the NRC may grant exemptions from the requirements of 10 CFR Part 52 upon a proper showing. No law exists that would preclude the changes covered by this exemption request, nor does granting of the proposed exemption result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission’s regulations. Accordingly, this requested exemption is “authorized by law,” as required by 10 CFR § 50.12(a)(1).

**4.2 This exemption will not present an undue risk to the health and safety of the public.**

The requested exemption reclassifies Tier 2\* information on Fire Area Figures, thereby allowing for revisions to these portions of these documents using the Tier 2 change process provided in 10 CFR Part 52, Appendix D, Section VIII.B.5. Because the reclassification would subject the information to the existing Tier 2 change control process, which requires prior NRC approval for safety significant changes, the exemption would not present an undue risk to the health and safety of the public.

**4.3 The exemption is consistent with the common defense and security.**

The exemption would reclassify Tier 2\* information on Fire Area Figures to Tier 2. The exemption would not alter the design, function, or operation of any plant equipment that is necessary to maintain a safe and secure status of the plant. The proposed exemption has no impact on plant security or safeguards procedures, systems, or equipment. Therefore, the requested exemption is consistent with the common defense and security.

**4.4 Special circumstances are present.**

10 CFR § 50.12(a)(2) lists six “special circumstances” for which an exemption may be granted. Only one of these special circumstances need be present before granting an exemption request. In this case, three of the six “special circumstances” are present, specifically 10 CFR § 50.12(a)(2)(ii), (iii), and (vi).

**4.4.1 Application would not serve underlying purpose of the rule.**

10 CFR § 50.12(a)(2)(ii) defines special circumstances as when “[a]pplication of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule.” The rule under consideration is 10 CFR Part 52, Appendix D, Section VIII.B.6.b, Item (4), which requires prior NRC approval for any change to the Tier 2\* information on Fire Area Figures. The underlying purpose of requiring prior NRC approval for changes to Tier 2\* information is to reflect the potential safety significance of Tier 2\* information. In creating the Tier 2\* designation, the NRC was concerned with “certain significant information [that] only exists in Tier 2 [that] the Commission does not want [...] to be changed without prior NRC approval.” 71 Fed. Reg. at 4474. However, because Tier 2\* derives from Tier 2, some information designated as Tier 2\* would be more appropriately designated as Tier 2, e.g., Fire Area Figures.

Currently, compliance with 10 CFR Part 52, Appendix D, Section VIII.B.6, requires SCE&G to obtain prior NRC approval for *any* change to Tier 2\* matters related to Fire Areas, even those changes having no more than a minimal impact to safety.

Because reclassification of the Fire Area Figures would allow changes without prior NRC approval only after conformance with the Tier 2 departure evaluation

criteria, any safety-significant changes would continue to require prior NRC approval. Therefore, application of 10 CFR 52, Appendix D, Section VIII.B.6, to Fire Area Figures is not necessary to achieve the underlying purpose of the rule.

#### **4.4.2 Compliance would result in undue hardship.**

10 CFR § 50.12(a)(2)(iii) defines special circumstances as when “[c]ompliance would result in undue hardship or other costs that are significantly in excess of those contemplated when the regulation was adopted, or that are significantly in excess of those incurred by others similarly situated.” As discussed above, the purpose of the Tier 2\* designation was to allow licensees flexibility in their design detail while still recognizing the potential safety-significance of certain information. The NRC’s goal was to identify only that significant information for which its approval was required if changes were made. It follows then that the NRC’s assessment of the compliance obligation for licensees related to the Tier 2\* designation would be limited to those instances involving safety significant changes to information.

The current change control process for Tier 2\* Fire Area Figures information has no mechanism whereby changes that have minimal bearing on the safety-significant nature of Tier 2\* information can be made without prior NRC approval. Compliance imposes costs and delay, both to SCE&G and to the NRC, without a corresponding benefit. Allowing the reclassification of Tier 2\* Fire Area Figures information addresses this problem.

#### **4.4.3 It would be in the public interest to grant the exemption.**

10 CFR § 50.12(a)(2)(vi) defines special circumstances as when “[t]here is present any other material circumstance not considered when the regulation was adopted for which it would be in the public interest to grant an exemption.”

It would be in the public interest to reduce or eliminate the delay and expense associated with non-safety significant changes to Fire Area Figures because SCE&G and NRC resources would be redirected to the evaluation of safety significant changes.

## **5.0 Regulatory Evaluation**

### **5.1 Applicable Regulatory Requirements**

Appendix D, “Design Certification Rule for the AP1000 Design,” of Title 10 of the Code of Federal Regulations (10 CFR) Part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants,” Section VIII.B.6, requires prior NRC approval for departures from Tier 2\* information. Because the proposed exemption and amendment request involves reclassification of Tier 2\* information, prior NRC approval is required.

The following regulatory requirements are relevant to this LAR:

10 CFR § 50.48, "Fire protection," requires a fire protection plan that satisfies 10 CFR Part 50, Appendix A, General Design Criterion (GDC) 3, "Fire protection." GDC 3 requires structures, systems, and components important to safety to be designed and located to minimize, consistent with other safety requirements, the probability and effect of fires and explosions.

10 CFR § 50.150, "Aircraft impact assessment," requires applicants to perform a design-specific assessment of the effects on the facility of the impact of a large, commercial aircraft. Using realistic analyses, the applicant identifies and incorporates into the design those design features and functional capabilities to show that, with reduced use of operator actions: (i) the reactor core remains cooled, or the containment remains intact; and (ii) spent fuel cooling or spent fuel pool integrity is maintained.

10 CFR § 73.55(a) requires that the licensee's security plans satisfy the requirements of 10 CFR 73.55. 10 CFR 73.55(b) requires in part, that:

(1) The licensee shall establish and maintain a physical protection program, to include a security organization, which will have as its objective to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety.

(2) The physical protection program must protect against the design basis threat of radiological sabotage as stated in § 73.1.

## **5.2 Precedent**

There are precedents and NRC policy statements that speak to the issues identified by this LAR and exemption request.

### **5.2.1 The NRC's *Safety Evaluation by the Office of New Reactors Related to [VCSNS Units 2 & 3] Amendment No. 16* (reclassification of HFE documents)**

This is not the first LAR to seek reclassification of a set of Tier 2\* information. Previously, SCE&G sought to reclassify portions of Tier 2\* Human Factors Engineering (HFE) documents as Tier 2 information. The NRC granted SCE&G's request and issued Amendment 16 to the VCSNS 2 and 3 licenses. In doing so, the NRC stated, "Based on the considerations discussed...the staff has concluded that...the proposed operation will not endanger public health and safety..." *Safety Evaluation by the Office of New Reactors Related to Amendment No. 16* at page 46, section 6.0 (July 31, 2014) (ADAMS Accession No. ML14177A507).

Like the HFE Reclassification, this LAR also seeks reclassification in order to alleviate unnecessary change controls. Reclassification would subject the Fire Area Figures to the change control process for Tier 2 information which would allow non-safety significant changes to Fire Area Figures without prior NRC

approval, but would still require prior NRC approval for safety significant changes.

### **5.2.2 The NRC's *Safety Evaluation by the Office of New Reactors Related to [VCSNS Units 2 & 3] Amendment No. 17* (changes to Tier 2\* Fire Area Boundaries)**

SCE&G previously filed (and received permission for) a license amendment for Tier 2\* Fire Area Figure information changes having no safety significance. See *Safety Evaluation by the Office of New Reactors Related to [VCSNS 2 & 3] Amendment No. 17* at page 9 (September 9, 2014) (ADAMS Accession No. ML14218A738). That amendment involved minor room changes having no effect on fire protection or aircraft impact analyses. NRC permission was required solely because the information being changed was classified as Tier 2\*.

In granting the amendment, the NRC recognized that the Tier 2\* changes:

- “meet the guidance in [Regulatory Guide 1.189, Revision 2, ‘Fire Protection’]”;
- “[were] not a physical design change and [do] not impact the fire hazard analysis”;
- “meet the guidance in [NEI 07-13, Revision 8, ‘Methodology for Performing Aircraft Impact Assessments for New Plants’]”; or
- “do not affect any key design feature credited in the aircraft impact assessment.”

See *Safety Evaluation [VCSNS 2 and 3] Amendment 17* at page 9.

In other words, the NRC's *Safety Evaluation* demonstrates that not all changes to Tier 2\* Fire Area Figures information are safety significant.

To the extent that the NRC may be concerned about future Fire Area Figures changes that would be safety significant, the NRC would still be able to review those changes prior to implementation. Tier 2 change control processes would continue to govern all Fire Area Figures, and any safety significant changes or any change to methods of evaluation would require prior NRC approval.

### **5.2.3 The NRC's *Part 52 Implementation Self-Assessment Review Report***

The NRC conducted a self-assessment of its regulation of Part 52 activities. One of the lessons from that assessment identified the scope of Tier 2\* information as problematic: “Clarity of design control document (DCD) Tier 2\* information (*i.e.*, information for which prior NRC review and approval is needed before changes can be implemented) could be enhanced.” See *Part 52 Implementation Self-Assessment Review: 1 Year Post-Combined License Issuance* (July 2013) (ADAMS Accession No. ML13196A403).

This LAR addresses this issue by reclassifying Fire Area Figures as Tier 2.

#### **5.2.4 The NRC's *Principles of Good Regulation***

NRC has long used screenings and evaluations as a regulatory tool, e.g., 10 CFR § 50.59. The § 50.59-like change process in Section VIII.B.5 for Tier 2 information has been effective at identifying the need for a license amendment for changes resulting in more than a minimal impact to safety. SCE&G proposes to use the same departure evaluation process for changes to Fire Area Figures information by reclassifying the figures as Tier 2. SCE&G's proposal is consistent with the statement in NRC's *Principles of Good Regulation*, "Regulatory activities should be consistent with the degree of risk reduction they achieve." See ADAMS Accession No. ML14135A076; see also comments of Commissioner William C. Ostendorff, Turkey MENA Industry Congress, June 18, 2013, <<http://www.nrc.gov/about-nrc/organization/commission/comm-william-ostendorff/comm-ostendorff-20130618-slides.pdf>> at slide 9 (same).

#### **5.2.5 NRC Strategic Plan**

The NRC has stated that its policy is to "focus agency resources on activities most important to safety and security." See *NRC Strategic Plan Fiscal Years 2014-2018*, ADAMS Accession No. ML14246A439 at page 17. This LAR is consistent with that policy, because, if Fire Area Figures information were to change, NRC resources would only be used to evaluate safety significant changes, rather than changes with no safety significance.

### **6.0 Risk Assessment**

A risk assessment was determined to be not applicable to address the acceptability of this request.

### **7.0 Significant Hazards Consideration**

The requested license amendment would amend, for SCE&G's Combined License (COL) Numbers NPF-93 (VCSNS Unit 2) and NPF-94 (VCSNS Unit 3), the Tier 2\* classification of Updated Final Safety Analysis Report Figures 9A-1, 9A-2, 9A-3, 9A-4, 9A-5, and 9A-201.

An evaluation to determine whether or not a significant hazards consideration is involved with the proposed amendment was completed by focusing on the three standards set forth in 10 CFR § 50.92, "Issuance of amendment," as discussed below:

#### **7.1 Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?**

Response: No.

The proposed amendment would reclassify Fire Area Figures Tier 2\* information. The proposed amendment does not modify the design, construction, or operation of any plant structures, systems, or components (SSCs), nor does it change any procedures or method of control for any SSCs. Because the proposed amendment does not change

the design, construction, or operation of any SSCs, it does not adversely affect any design function as described in the Updated Final Safety Analysis Report.

Therefore, the proposed amendment does not affect the probability of an accident previously evaluated. Similarly, because the proposed amendment does not alter the design or operation of the nuclear plant or any plant SSCs, the proposed amendment does not represent a change to the radiological effects of an accident, and therefore, does not involve an increase in the consequences of an accident previously evaluated.

**7.2 Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?**

Response: No.

The proposed amendment would reclassify Fire Area Figures Tier 2\* information. The proposed amendment is not a modification, addition to, or removal of any plant SSCs. Furthermore, the proposed amendment is not a change to procedures or method of control of the nuclear plant or any plant SSCs. The only impact of this activity is the reclassification of information in the Updated Final Safety Analysis Report.

Because the proposed amendment only reclassifies information and does not change the design, construction, or operation of the nuclear plant or any plant operations, the amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

**7.3 Does the proposed amendment involve a significant reduction in a margin of safety?**

Response: No.

The proposed amendment would reclassify Fire Area Figures Tier 2\* information. The proposed amendment is not a modification, addition to, or removal of any plant SSCs. Furthermore, the proposed amendment is not a change to procedures or method of control of the nuclear plant or any plant SSCs. The only impact of this activity is the reclassification of information in the Updated Final Safety Analysis Report.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

**7.4 Significant Hazards Consideration Conclusions**

Based on the considerations discussed above, (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 amendment will not be inimical to the common defense and security or to the health and safety of the public. The above evaluations demonstrate that the requested changes can be accommodated without an increase in the probability or consequences of an accident previously evaluated, without creating the possibility of a new or different kind of accident from any accident previously evaluated, and without a significant reduction in a margin of safety.

Having arrived at negative declarations with regard to the criteria of 10 CFR § 50.92, this assessment determined that the requested change does not involve a Significant Hazards Consideration.

## **8.0 Environmental Considerations**

The proposed exemption and amendment would reclassify Fire Area Figures Tier 2\* information.

A review has determined the proposed reclassification requires an exemption and amendment to the COLs; however, a review of the anticipated construction and operational effects of the proposed amendment has determined it meets the eligibility criteria for categorical exclusion set forth in 10 CFR § 51.22(c)(9), in that:

### **8.1 There is no significant hazards consideration.**

As documented above, an evaluation was completed to determine whether or not a significant hazards consideration is involved by focusing on the three standards set forth in 10 CFR § 50.92, "Issuance of amendment." The Significant Hazards Consideration determined that (1) the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated; (2) the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated; and (3) the proposed amendment does not involve a significant reduction in a margin of safety. Therefore, it is concluded that the proposed amendment does not involve a significant hazards consideration under the standards set forth in 10 CFR § 50.92(c), and accordingly, a finding of "no significant hazards consideration" is justified.

### **8.2 There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite.**

The proposed exemption and amendment only reclassify Tier 2\* Fire Area Figures information; there is no physical change to the plant itself. Hence, the exemption and amendment do not affect any effluent release path or diminish the functionality of any design or operational features that are credited with controlling the release of effluents during plant operation.

Therefore, the proposed exemption and amendment do not involve a significant change in the types or a significant increase in the amounts of any effluents that may be released offsite.

### **8.3 There is no significant increase in individual or cumulative occupational radiation exposure.**

The proposed reclassification of information makes no physical change to the plant itself, nor does it affect how the plant is designed, constructed, or operated. Plant radiation zones are not affected, and controls established under 10 CFR Part 20 to preclude a significant increase in occupational radiation exposure are



not affected. Therefore, the proposed exemption and amendment do not involve a significant increase in individual or cumulative occupational radiation exposure.

#### **8.4 Environmental Conclusions**

Based on the above review of the proposed exemption and amendment, it has been determined that anticipated construction and operational effects of the proposed exemption and amendment do not involve (i) a significant hazards consideration, (ii) a significant change in the types or significant increase in the amounts of any effluents that may be released offsite, or (iii) a significant increase in the individual or cumulative occupational radiation exposure. Accordingly, the proposed exemption and amendment meet the eligibility criteria for categorical exclusion set forth in 10 CFR § 51.22(c)(9). Therefore, pursuant to 10 CFR § 51.22(b), an environmental impact statement or environmental assessment of the proposed exemption and amendment is not required.

#### **9.0 Conclusion and Proposed Changes**

For the foregoing reasons, SCE&G asks that the NRC issue an exemption and amendment reclassifying Fire Area Figures 9A-1, 9A-2, 9A-3, 9A-4, 9A-5, and 9A-201 as Tier 2 information.

The COL Section 2.F, Exemptions, would be revised to reflect the requested exemption by including a new subsection 2.F(1)(c) to read:

(c) The licensees are exempt from the requirement of 10 CFR Part 52, Appendix D, Section VIII.B.6.b(4), to include fire areas as Tier 2\* matters from which the licensees may not depart without prior NRC approval. Departures from Tier 2 fire areas matters may be addressed in conformance with Section VIII.B.5.

Additionally, UFSAR changes are necessary to reflect the requested exemption. These changes would revise the titles of the following figures from:

Figure 9A-1 (Sheet 1 of 16) [Fire Areas Legend]\*  
Figure 9A-1 (Sheet 2 of 16) [Nuclear Island Fire Area Plan at Elevation 66'-6"]\*  
Figure 9A-1 (Sheet 3 of 16) [Nuclear Island Fire Area Plan at Elevation 82'-6"]\*  
Figure 9A-1 (Sheet 4 of 16) [Nuclear Island Fire Area Plan at Elevation 96'-6"]\*  
Figure 9A-1 (Sheet 5 of 16) [Nuclear Island Fire Areas Plan at Elevation 100'-0" & 107'-2"]\*  
Figure 9A-1 (Sheet 6 of 16) [Nuclear Island Fire Area Plan at Elevation 117'-6"]\*  
Figure 9A-1 (Sheet 7 of 16) [Nuclear Island Fire Area Plan at Elevation 135'-3"]\*  
Figure 9A-1 (Sheet 8 of 16) [Nuclear Island Fire Areas Plan at Elevation 153'-0" & 160'-6"]\*  
Figure 9A-1 (Sheet 9 of 16) [Nuclear Island Fire Areas Plan at Elevation 160'-6" & 180'-0"]\*  
Figure 9A-1 (Sheet 10 of 16) [Nuclear Island Fire Area Section A-A]\*  
Figure 9A-1 (Sheet 11 of 16) [Nuclear Island Fire Area Section B-B]\*  
Figure 9A-1 (Sheet 12 of 16) [Nuclear Island Fire Areas Section C-C & H-H]\*  
Figure 9A-1 (Sheet 13 of 16) [Nuclear Island Fire Area Section G-G]\*  
Figure 9A-1 (Sheet 14 of 16) [Nuclear Island Fire Area Section J-J]\*  
Figure 9A-1 (Sheet 15 of 16) [Nuclear Island Fire Area Section K-K]\*

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Figure 9A-1 (Sheet 16 of 16) [Nuclear Island Fire Areas Section I-I & R-R]\*  
Figure 9A-2 (Sheet 1 of 5) [Turbine Building Fire Area Plan at Elevation 100'-0"]\*  
Figure 9A-2 (Sheet 2 of 5) [Turbine Building Fire Area Plan at Elevation 120'-6"]\*  
Figure 9A-2 (Sheet 3 of 5) [Turbine Building Fire Area Plan at Elevation 141'-3"]\*  
Figure 9A-2 (Sheet 4 of 5) [Turbine Building Fire Area Plan at Elevation 170'-0"]\*  
Figure 9A-2 (Sheet 5 of 5) [Turbine Building Fire Areas Plan at Elevation 255'-3"]\*  
Figure 9A-201 [Annex I & II Building Fire Areas Plan at Elevation 100'-0" & 107'-2"]\*  
Figure 9A-3 (Sheet 2 of 3) [Annex I & II Building Fire Area Plan at Elevation 117'-6"]\*  
Figure 9A-3 (Sheet 3 of 3) [Annex I & II Building Fire Area Plan at Elevation 135'-3"]\*  
Figure 9A-4 [Radwaste Building Fire Area Plan at Elevation 100'-0"]\*  
Figure 9A-5 [Diesel Generator Building Fire Area Plan at Elevation 100'-0"]\*

To read:

Figure 9A-1 (Sheet 1 of 16) Fire Areas Legend  
Figure 9A-1 (Sheet 2 of 16) Nuclear Island Fire Area Plan at Elevation 66'-6"  
Figure 9A-1 (Sheet 3 of 16) Nuclear Island Fire Area Plan at Elevation 82'-6"  
Figure 9A-1 (Sheet 4 of 16) Nuclear Island Fire Area Plan at Elevation 96'-6"  
Figure 9A-1 (Sheet 5 of 16) Nuclear Island Fire Areas Plan at Elevation 100'-0" & 107'-2"  
Figure 9A-1 (Sheet 6 of 16) Nuclear Island Fire Area Plan at Elevation 117'-6"  
Figure 9A-1 (Sheet 7 of 16) Nuclear Island Fire Area Plan at Elevation 135'-3"  
Figure 9A-1 (Sheet 8 of 16) Nuclear Island Fire Areas Plan at Elevation 153'-0" & 160'-6"  
Figure 9A-1 (Sheet 9 of 16) Nuclear Island Fire Areas Plan at Elevation 160'-6" & 180'-0"  
Figure 9A-1 (Sheet 10 of 16) Nuclear Island Fire Area Section A-A  
Figure 9A-1 (Sheet 11 of 16) Nuclear Island Fire Area Section B-B  
Figure 9A-1 (Sheet 12 of 16) Nuclear Island Fire Areas Section C-C & H-H  
Figure 9A-1 (Sheet 13 of 16) Nuclear Island Fire Area Section G-G  
Figure 9A-1 (Sheet 14 of 16) Nuclear Island Fire Area Section J-J  
Figure 9A-1 (Sheet 15 of 16) Nuclear Island Fire Area Section K-K  
Figure 9A-1 (Sheet 16 of 16) Nuclear Island Fire Areas Section I-I & R-R  
Figure 9A-2 (Sheet 1 of 5) Turbine Building Fire Area Plan at Elevation 100'-0"  
Figure 9A-2 (Sheet 2 of 5) Turbine Building Fire Area Plan at Elevation 120'-6"  
Figure 9A-2 (Sheet 3 of 5) Turbine Building Fire Area Plan at Elevation 141'-3"  
Figure 9A-2 (Sheet 4 of 5) Turbine Building Fire Area Plan at Elevation 170'-0"  
Figure 9A-2 (Sheet 5 of 5) Turbine Building Fire Areas Plan at Elevation 255'-3"  
Figure 9A-201 Annex I & II Building Fire Areas Plan at Elevation 100'-0" & 107'-2"  
Figure 9A-3 (Sheet 2 of 3) Annex I & II Building Fire Area Plan at Elevation 117'-6"  
Figure 9A-3 (Sheet 3 of 3) Annex I & II Building Fire Area Plan at Elevation 135'-3"  
Figure 9A-4 Radwaste Building Fire Area Plan at Elevation 100'-0"  
Figure 9A-5 Diesel Generator Building Fire Area Plan at Elevation 100'-0"

Each of these figures would also be revised to remove the following Note:

\*NRC Staff approval is required prior to implementing a change in this information.