



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

SAFETY EVALUATION BY THE OFFICE OF NEW REACTORS  
RELATED TO EXEMPTIONS AND AMENDMENT NOS. 118 AND 117  
TO THE COMBINED LICENSE NOS. NPF-91 AND NPF-92 RESPECTIVELY  
SOUTHERN NUCLEAR OPERATING COMPANY, INC.  
GEORGIA POWER COMPANY  
OGLETHORPE POWER CORPORATION  
MEAG POWER SPVM, LLC  
MEAG POWER SPVJ, LLC  
MEAG POWER SPVP, LLC  
CITY OF DALTON, GEORGIA  
VOGTLE ELECTRIC GENERATING PLANT UNITS 3 AND 4  
DOCKET NOS. 52-025 AND 52-026

1.0 INTRODUCTION

By letter dated September 25, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17268A188), as supplemented by letters dated November 16, 2017, December 18, 2017, and February 14, 2018 (ADAMS Accession Nos. ML17320A808, ML17352B003 and ML18045A082, respectively), Southern Nuclear Operating Company (SNC) submitted license amendment request (LAR) 17-027 requesting the U.S. Nuclear Regulatory Commission (NRC) approval for an amendment to the combined licenses (COL) for Vogtle Electric Generating Plant (VEGP) Units 3 and 4, COL Numbers NPF-91 and NPF-92, respectively. The LAR requests, changes to COL Appendix A, Technical Specifications (TS), and plant-specific Design Control Document (DCD) Tier 2 information, as well as departures from plant specific Tier 1 information (and associated COL Appendix C information). The LAR proposes changes to TS to allow Reactor Coolant System (RCS) vacuum fill operations in cold shutdown (i.e., Mode 5) conditions, and proposes conforming consistency changes to plant-specific DCD information in the form of departures from DCD Tier 2 information, as incorporated into the Updated Final Safety Analysis Report (UFSAR).

The LAR also requests a departure from Tier 1 Design Descriptions and Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC) related to inspecting the volume in the containment that allows for floodup to support long-term core cooling for postulated loss-of-coolant accidents (LOCAs) and proposes corresponding changes to plant-specific AP1000 DCD Tier 2 information in the UFSAR,

Pursuant to the provisions of Title 10 of the *Code of Federal Regulations* (10 CFR) 52.63(b)(1), SNC also requested an exemption from the provisions of Part 52, Appendix D, Section III.B, "Design Certification Rule for the AP1000 Design, Scope and Contents," which would allow a departure from the elements of the certification information in Tier 1 of the generic DCD.<sup>1</sup>

In order to modify the UFSAR Tier 1 (the plant-specific DCD) information, the NRC must find SNC's exemption request included in its submittal for the LAR acceptable. The staff's review of the exemption request and the LAR is included in this safety evaluation.

The letters dated November 16, 2017, December 18, 2107, and February 14, 2018, provided additional information that did not change the scope or conclusion of staff's proposed no significant hazards consideration determination published in the *Federal Register* on December 19, 2017 (82 FR 60229).

## 2.0 REGULATORY BASES

The requested amendment proposes changes to revise COL Appendix A to allow RCS vacuum fill operations in Mode 5 conditions, and conforming consistency changes to plant-specific DCD Tier 2 information, as incorporated into the Updated UFSAR. This includes proposed changes to TS in the following sections: Definitions, Engineered Safety Feature Actuation System Instrumentation, Automatic Depressurization System (ADS), and Core Makeup Tanks (CMTs). Other proposed TS changes address corrections to TS Actions and Applicability for consistency within the TS. Additionally, the LAR proposes to depart from plant-specific AP1000 DCD Tier 2 information, as incorporated into the UFSAR, and also to depart from involved DCD Tier 1 Design Descriptions and ITAAC related to the volume in the containment that allows for floodup to support long-term core cooling for postulated LOCAs.

10 CFR Part 52, Appendix D, Section VIII.A.4 states that exemptions from Tier 1 information are governed by the requirements of 10 CFR 52.63(b)(1) and 10 CFR 52.98(f). It also states that the Commission will deny such a request if the design change causes a significant reduction in plant safety otherwise provided by the design.

10 CFR 52, Appendix D, Section VIII.B.5.a allows an applicant or licensee who references this appendix to depart from Tier 2 information, without prior NRC approval, unless the proposed departure involves a change to or departure from Tier 1 information, Tier 2\* information, or the TS, or requires a license amendment under paragraphs B.5.b or B.5.c of the section. This activity involves changes to Tier 1 information, COL Appendix A TS, and COL Appendix C ITAACs, and thus requires NRC approval.

10 CFR 52, Appendix D, Section VIII.C.6 states that after issuance of a license, "Changes to the plant-specific TS will be treated as license amendments under 10 CFR 50.90." 10 CFR 50.90 addresses the application for amendments of licenses, construction permits, and early site permits. As discussed above, a change to TS (COL Appendix A) is requested, and thus an LAR (as supplied herein) is required.

10 CFR 50.36, Technical specifications (TS) impose limits, operating conditions, and other

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<sup>1</sup> While the licensee describes the requested exemption as being from Section III.B of 10 CFR Part 52, Appendix D, the entirety of the exemption pertains to proposed departures from Tier 1 information in the plant-specific DCD. In the remainder of this evaluation, the NRC will refer to the exemption as an exemption from Tier 1 information to match the language of Section VIII.A.4 of 10 CFR Part 52, Appendix D, which specifically governs the granting of exemptions from Tier 1 information.

requirements upon reactor facility operation for the public health and safety. The TS are derived from the analyses and evaluations in the safety analysis report. In general, TS must contain: (1) safety limits and limiting safety system settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design features; and (5) administrative controls.

10 CFR 52.63(b)(1) allows the licensee who references a design certification rule to request NRC approval for an exemption from one or more elements of the certification information. The Commission may only grant such a request if it determines that the exemption will comply with the requirements of 10 CFR 52.7, which, in turn, points to the requirements listed in 10 CFR 50.12 for specific exemptions. In addition to the factors listed in 10 CFR 52.7, the Commission shall consider whether the special circumstances outweigh any decrease in safety that may result from the reduction in standardization caused by the exemption. Therefore, any exemption from the Tier 1 information certified by Appendix D to 10 CFR Part 52 must meet the requirements of 10 CFR 50.12, 52.7, and 52.63(b)(1).

10 CFR 52.98(f) requires NRC approval for any modification to, addition to, or deletion from the terms and conditions of a COL, including any modification to, addition to, or deletion from the ITAAC contained in the license. Therefore, the proposed changes require a license amendment and NRC approval is required prior to making the plant-specific proposed changes in this LAR.

10 CFR 50, Appendix A, General Design Criterion (GDC) 34 requires the plant design to include a system to remove residual heat from the reactor core so specified acceptable fuel design limits and the design conditions of the reactor coolant pressure boundary are not exceeded.

10 CFR 50, Appendix A, GDC 36 requires the passive core cooling system (PXS) to be designed to permit appropriate periodic inspection of important components.

### 3.0 TECHNICAL EVALUATION

#### 3.1 EVALUATION OF EXEMPTION REQUEST

The regulations in Section III.B of Appendix D to 10 CFR Part 52 require a holder of a COL referencing Appendix D to 10 CFR Part 52 to incorporate by reference and comply with the requirements of Appendix D, including certified information in Tier 1 of the generic AP1000 DCD. Exemptions from Tier 1 information are governed by the change process in Section VIII.A.4 of Appendix D of 10 CFR Part 52. Because SNC has identified changes to plant-specific Tier 1 information, with corresponding changes to the associated COL Appendices A and C information resulting in the need for a departure, an exemption from the certified design information within plant-specific Tier 1 material is required to implement the LAR.

The Tier 1 information for which a plant-specific departure and exemption was requested relates to Design Descriptions and ITAAC related to inspecting the volume in the containment that allows for floodup to support long-term core cooling for postulated LOCAs. The result of this exemption would be that SNC could implement modifications to Tier 1 information in the UFSAR as well as departures from DCD Tier 2 information, and a COL Appendix C. Pursuant to the provisions of 10 CFR 52.63(b)(1), an exemption from elements of the design as certified in the 10 CFR Part 52, Appendix D, design certification rule is requested for the involved Tier 1 information described and justified in LAR 17-027, as supplemented. This exemption is a permanent exemption limited in scope to the particular Tier 1 information specified.

As stated in Section VIII.A.4 of Appendix D to 10 CFR Part 52, an exemption from Tier 1

information is governed by the requirements of 10 CFR 52.63(b)(1) and 52.98(f). Additionally, Section VIII.A.4 of Appendix D to 10 CFR Part 52 provides that the Commission will deny a request for an exemption from Tier 1 if it finds that the requested change will result in a significant decrease in the level of safety otherwise provided by the design. Pursuant to 10 CFR 52.63(b)(1), the Commission may, grant exemptions from one or more elements of the certification information, so long as the criteria given in 10 CFR 52.7, which, in turn, references 10 CFR 50.12, is met and that the special circumstances, which is defined by 10 CFR 50.12(a)(2), outweigh any potential decrease in safety that may result from the reduction in standardization.

Pursuant to 10 CFR 52.7, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 52. As 10 CFR 52.7 further states, the Commission's consideration will be governed by 10 CFR 50.12, "Specific exemptions," which states that an exemption may be granted when: (1) the exemptions are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security; and (2) special circumstances are present. Specifically, 10 CFR 50.12(a)(2) lists six circumstances for which an exemption may be granted. It is necessary for one of these bases to be present in order for the NRC to consider granting an exemption request. SNC stated that the requested exemption meets the special circumstances of 10 CFR 50.12(a)(2)(ii). That subparagraph 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 staff's analysis of these findings is presented below.

### 3.1.1 AUTHORIZED BY LAW

This exemption would allow SNC to implement changes to elements of the plant-specific Tier 1 DCD to depart from the AP1000 certified design (Tier 1) information. This exemption is a permanent exemption limited in scope to particular Tier 1 information. Subsequent changes to the plant-specific Tier 1 DCD would be subject to the exemption process specified in Section VIII.A.4 of Appendix D to 10 CFR Part 52 and the requirements of 10 CFR 52.63(b)(1). As stated above, 10 CFR Part 52, Appendix D, Section VIII.A.4 allows the NRC to grant exemptions from one or more elements of the Tier 1 information. Based on 10 CFR Part 52, Appendix D, Section VIII.A.4, the staff has determined that granting of the SNC's proposed exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations. Therefore, as required by 10 CFR 50.12(a)(1), the exemption is authorized by law.

### 3.1.2 NO UNDUE RISK TO PUBLIC HEALTH AND SAFETY

The underlying purpose of Appendix D to 10 CFR Part 52 is to ensure that a licensee will construct and operate the plant based on the approved information found in the DCD incorporated by reference into a plant's licensing basis. The exemption proposed by SNC from the requirements of 10 CFR Part 52, Appendix D, Section III.B would allow changes to elements of the plant-specific Tier 1 DCD to depart from the AP1000 certified (Tier 1) design information. The plant-specific DCD Tier 1 will continue to reflect the approved licensing basis for VEGP Units 3 and 4, and will maintain a consistent level of detail with that currently provided elsewhere in Tier 1 of the DCD. Therefore, the affected plant-specific DCD Tier 1 ITAAC will continue to serve its required purpose. The specific changes proposed by SNC are related to departures from Tier 1 Design Descriptions and ITAAC related to inspecting the volume in the containment that allows for floodup to support long-term core cooling for postulated LOCAs.

The changes proposed by SNC do not add or delete systems or equipment as described in Tier 1 of the AP1000 DCD. These changes will not impact the ability of the systems or equipment to perform their design function. Because they will not alter the operation of any plant equipment or systems, these changes do not present an undue risk from existing equipment or systems. The proposed changes do not introduce any new industrial, chemical, or radiological hazards that would represent a public health or safety risk, nor do they modify or remove any design or operational controls or safeguards intended to mitigate any existing on-site hazards. Furthermore, the proposed changes would not allow for a new fission product release path, result in a new fission product barrier failure mode, or create a new sequence of events that would result in significant fuel cladding failures. Accordingly, these changes do not present an undue risk from any new equipment or systems, because there remains no challenge to containment integrity as a result of hydrogen generation due to the proposed changes. Therefore, as required by 10 CFR 50.12(a)(1), the staff finds that there is no undue risk to public health and safety.

### 3.1.3 CONSISTENT WITH COMMON DEFENSE AND SECURITY

The proposed exemption would allow the SNC to depart from elements of the plant-specific DCD Tier 1 design information. The proposed changes do not alter or impede the design, function, or operation of any plant systems, structures, or components (SSCs) associated with the plant's physical or cyber security and, therefore, do not affect any plant equipment that is necessary to maintain a safe and secure plant status. In addition, the proposed changes have no impact on plant security or safeguards. Therefore, as required by 10 CFR 50.12(a)(1), the staff finds that the common defense and security is not impacted by this exemption.

### 3.1.4 SPECIAL CIRCUMSTANCES

Special circumstances, in accordance with 10 CFR 50.12(a)(2)(ii), are present whenever application 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. Special circumstances are present in the particular circumstances discussed in LAR-17-026 as supplemented because the application of the specified Tier 1 information does not serve the underlying purpose of the rule. The underlying purpose of the Tier 1 information is to ensure that licensees will safely construct and operate a plant based on the certified information found in the AP1000 DCD, which was incorporated by reference into the VEGP's licensing basis. The underlying purpose of Appendix D, Section III.B is to describe and define the scope and contents of the AP1000 design certification, and to require compliance with the design certification information in Appendix D.

The exemption proposed in this LAR would revise the ITAAC supporting Tier 1 related to inspecting the volume in the containment that allows for floodup to support long-term core cooling for postulated LOCAs.

The above proposed changes, assessed in detail in Section 3.2 of this safety evaluation below, maintain the required design functions. The proposed changes do not affect any function or feature used for the prevention and mitigation of accidents or their safety analyses. The proposed changes do not involve nor interface with any SSC accident initiator or initiating sequence of events related to the accidents evaluated and, therefore, do not have an adverse effect on any SSCs' design function. Accordingly, this exemption from the certification

information will enable the licensee to safely construct and operate the AP1000 facility consistent with the design certified by the NRC in 10 CFR Part 52, Appendix D.

Because application of the current generic certified design information in Tier 1 as required by 10 CFR Part 52, Appendix D, Section III.B, in the particular circumstances discussed in this LAR is not necessary to meet the underlying purpose of the rule, the staff finds that the special circumstances required by 10 CFR 50.12(a)(2)(ii) for the granting of an exemption from the Tier 1 information exist.

### 3.1.5 SPECIAL CIRCUMSTANCES OUTWEIGH REDUCED STANDARDIZATION

Based on the nature of the changes to the plant-specific DCD Tier 1 information and the understanding that these changes support the design functions of the long term core cooling for postulated LOCA, it is expected that this exemption may be requested by other AP1000 licensees and applicants. However, a review of the reduction in standardization resulting from the departure from the standard DCD determined that even if other AP1000 licensees and applicants do not request this same departure, the special circumstances will continue to outweigh any decrease in safety from the reduction in standardization because the key design functions of the components associated with this request will continue to be maintained. Furthermore, the justification provided in this LAR and this exemption request and the associated mark-ups provided a benefit because the proposed exemption will maintain the design consistent with the containment floodup Level calculations. This change does not result in any reduction in safety. This benefit outweighs any decrease in safety resulting from any reduction in the standardization caused by this exemption.

### 3.1.6 NO SIGNIFICANT REDUCTION IN SAFETY

The proposed changes do not adversely interface with or adversely affect safety-related equipment or a fission product barrier, and do not adversely impact the functional capabilities of any system. The changes to the plant-specific Tier 1 information ensure the design functions for the free volume in the containment are maintained and ensure consistency with the containment floodup level calculations. The changes continue to support long-term core cooling for postulated loss-of-cooling accidents. As such, granting the exemption would not result in a significant decrease in the level of safety otherwise provided by the design. Therefore, based on the foregoing reasons and as required by 10 CFR 52.7, 10 CFR 52.98(f), and 10 CFR Part 52, Appendix D, Section VIII.A.4, the staff finds that granting the exemption would not result in a significant decrease in the level of safety otherwise provided by the design.

## 3.2 TECHNICAL EVALUATION OF PROPOSED CHANGES

In LAR-17-027, SNC proposes changes to revise COL Appendix A TS to allow RCS vacuum fill operations in Mode 5 conditions, and confirming consistency changes to the UFSAR. Additionally, LAR-17-027 proposes to modify COL Appendix C (and plant-specific Tier 1) Section 3.3 to change the maximum allowed volume and reference elevation for the volume in ITAAC Table 3.3-6, ITAAC No. 3.3.00.02h so that the ITAAC correlates to the containment floodup level calculation.

### 3.2.1 Evaluation of Changes Associated with ITAAC for Containment Floodup

SNC proposed changes to COL Appendix C, Section 3.3, to modify the system description

pertaining to containment free volume and ITAAC No. 3.3.00.2h. The changes are also reflected in markups in UFSAR Section 6.3.2.2.3 and UFSAR Table 14.3-2. The proposed changes modify the elevation from 108 feet to 107.68 feet, and the associated volume from 73,500 ft<sup>3</sup> to 71,960 ft<sup>3</sup>. The staff performed an audit of the calculation supporting these changes, and observed that the minimum floodup level of 107.68 feet, and associated floodup volume of 71,964 ft<sup>3</sup>, were obtained by evaluating a spectrum of cases (Reference 7). The staff observed that the spectrum of cases varied the location of the leak, leak rate, and used conservative (both high and low) containment volumes. Based upon the spectrum of cases performed by the licensee and the results of the analyses that the staff observed at the audit, staff finds the floodup level and associated volume proposed in LAR-17-027 to be suitably conservative. Accordingly, staff finds the markups proposed under COL Appendix C, Section 3.3, UFSAR Section 6.3.2.2.3, and UFSAR Table 14.3-2 acceptable. The staff finds acceptable the requested amendment proposals to depart from plant-specific AP1000 DCD Tier 2 information, as incorporated into the UFSAR, and the departure from Tier 1 Design Descriptions and ITAAC.

With the proposed changes, the updated safe shutdown analysis continues to demonstrate the plant complies with its licensing performance criteria to cool the RCS to 420°F within 36 hours. Thus the design continues to comply with GDC 34. Also, because the proposed changes do not prevent the PXS from periodic inspection, the PXS continues to comply with GDC 36.

### 3.2.2 Evaluation of Changes Associated with RCS Vacuum Fill

SNC proposed changes to accommodate the RCS vacuum fill operations in Mode 5 in the following sections:

- COL Appendix A Section 1.1
- COL Appendix A TS 3.3.8
- COL Appendix A Table 3.3.8-1
- COL Appendix A TS 3.3.9
- COL Appendix A Table 3.3.9-1
- COL Appendix A TS 3.3.10
- COL Appendix A Table 3.3.10-1
- COL Appendix A TS 3.4.11
- COL Appendix A TS 3.4.12
- COL Appendix A TS 3.4.13
- COL Appendix A TS 3.5.3
- UFSAR Section 6.3.3.4.3
- UFSAR Section 19E.2.1.2.5
- UFSAR Section 19E.4.8.2
- UFSAR Section 19E.4.8.3

The purpose of the vacuum refill operation is to maximize air mass removal from the RCS to minimize the dissolved oxygen content prior to startup. Vacuum refill is used after refueling outages to shorten the outage length and to avoid the necessity for starting and stopping the reactor coolant pumps to remove air from the top of the steam generator tubes that is trapped during refill.

Establishing vacuum conditions requires that the RCS pressure boundary be made intact, including isolating the flow path in both trains of ADS Stage 1, 2, and 3 flow paths. The current

TS Limiting Condition for Operation (LCO) 3.4.13 Note would require all ADS flow paths be operable in this condition. However, ADS Train-A flow paths provide a connection between the vacuum refill system and the pressurizer. Downstream of the vacuum refill system connection, a blind flange is installed on the ADS Train-A discharge header, blocking the flow path to the in-containment refueling water storage tank (IRWST), and rendering all three ADS Stage 1, 2, and 3 flow paths in Train A inoperable (i.e., incapable of meeting the TS 3.4.12 operability requirements as required by the TS LCO 3.4.13 Note).

A new defined term in TS section 1.1 is proposed for “vented,” which defines the condition when all required ADS stage 1, 2, and 3 flow paths, or equivalent, prescribed by TS 3.4.13 are open. This provides sufficient steam venting such that it, in combination with required ADS Stage 4 actuation, lowers RCS pressure to allow IRWST injection. This defined term is proposed to be used for the TS 3.5.3 Mode 5 CMT applicability, i.e., Mode 5 with the RCS not vented. This replaces the current Mode 5 Applicability of “with the RCS pressure boundary intact.” This proposed change will require CMT operability until all the required ADS Stage 1, 2, and 3 flow paths are opened rather than exiting the Applicability. The changes to the above listed specifications are to conform to the operability changes in LCO 3.4.13, to the addition of the newly defined term, “vented,” to address the required instrumentation function modifications for the vacuum fill operation in TS 3.3.8, 3.3.9 and 3.3.10, in addition to several required editorial changes.

The proposed changes to TS 3.4.11, 3.4.12 and 3.4.13 change the ADS valve availability to accommodate RCS vacuum refill. The staff performed an audit of the calculation supporting these changes and observed that (1) loss of the normal residual heat removal system analyses have been conducted for the scenarios that encompass TS 3.4.12 and 3.4.13, (2) these analyses were conducted using the NOTRUMP code, which has been previously approved by NRC for performing evaluations of the AP1000, and (3) all of the analyses showed that the core region remains covered with a two-phase mixture. Based on the results of the analyses supporting the changes to TS 3.4.11, 3.4.12 and 3.4.13, staff finds the proposed changes to TS 3.4.11, 3.4.12 and 3.4.13 acceptable.

The proposed changes to the UFSAR reflect the proposed changes to TS 3.4.11, 3.4.12 and 3.4.13. The staff reviewed the proposed changes and determined that (1) the modifications accurately reflect the changes to TS 3.4.11, 3.4.12 and 3.4.13, and (2) the conclusions of the analyses discussed in UFSAR Sections 6.3.3.4.3, 19E.4.8.2 and 19E.4.8.3 are not impacted by the change. Based on the accurate implementation of proposed changes to TS 3.4.11, 3.4.12 and 3.4.13, staff finds the changes to UFSAR Sections 6.3.3.4.3, 19E.2.1.2.5, 19E.4.8.2, and 19E.4.8.3 acceptable.

LAR-17-027 proposes to change TS 3.5.3, which applies to Mode 4 with RCS cooling provided by RNS or to Mode 5 with the RCS pressure boundary not vented, to remove the surveillance requirement (SR) of verifying the volume of noncondensable gases in each CMT inlet line has not caused the high-point water level to drop below the sensor. LAR-17-027 proposes this change to accommodate RCS vacuum fill. Because verification of the CMT volume assumed in the safety analysis is retained through SR 3.5.2.2, staff finds that this change does not impact the safety analysis. Because there is no impact on the safety analysis, staff finds the proposed change to TS 3.5.3 acceptable.

The justifications for the above TS changes proposed by VEGP Units 3 and 4 LAR 17-027 are found acceptable, consistent with the changes proposed to the UFSAR and with the content of the Standard TS, which is prescribed by 10 CFR 50.36. The staff finds the proposed changes



to COL Appendix A, TS and plant-specific DCD Tier 2 information and departures from plant specific Tier 1 information (and associated COL Appendix C information) acceptable. The TS Bases are changed to be consistent with the TS.

#### 4.0 STATE CONSULTATION

In accordance with the Commission's regulations in 10 CFR 50.91(b), the Georgia State official was notified of the proposed issuance of the amendment on March 19, 2018. The State official had no comments.

#### 5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20, "Standards for Protection Against Radiation." The staff determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite. Also, there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (82 FR60229, published on December 19, 2017). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

Because the exemption is necessary to allow the changes proposed in the license amendment, and because the exemption does not authorize any activities other than those proposed in the license amendment, the environmental consideration for the exemption is identical to that of the license amendment. Accordingly, the exemption meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment needs to be prepared in connection with the issuance of the exemption.

#### 6.0 CONCLUSION

The staff has determined that pursuant to Section VIII.A.4 of Appendix D to 10 CFR Part 52, the exemption (1) is authorized by law, (2) presents no undue risk to the public health and safety, (3) is consistent with the common defense and security, (4) is a special circumstance that outweighs the reduction in standardization, and (5) does not significantly reduce the level of safety at SNC's facility. Therefore, the staff grants SNC an exemption from Tier1 information specified by SNC.

The Commission has concluded, based on the considerations discussed in Section 4 and staff's confirmation that the changes proposed in this LAR do not change an analysis methodology, or assumptions that there is reasonable assurance that: (1) the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that 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. Therefore, the staff finds the changes proposed in this license amendment acceptable.

## 7.0 REFERENCES

1. Southern Nuclear Operating Company, Vogtle Electric Generating Plant Units 3 and 4, "Request for License Amendment and Exemption Regarding Technical Specifications for Reactor Coolant System Vacuum Fill and Inspections, Tests, Analyses, and Acceptance Criteria for Containment Floodup (LAR-17-027)," September 25, 2017 (ADAMS Accession No. ML17268A188).
2. Southern Nuclear Operating Company, Vogtle Electric Generating Plant Units 3 and 4, "Supplement to Request for License Amendment and Exemption Regarding Technical Specifications for Reactor Coolant System Vacuum Fill and Inspections, Tests, Analyses, and Acceptance Criteria for Containment Floodup (LAR-17-027S1)," November 16, 2017 (ADAMS Accession No. ML17320A808).
3. Southern Nuclear Operating Company, Vogtle Electric Generating Plant Units 3 and 4, "Supplement to Request for License Amendment and Exemption Regarding Technical Specifications for Reactor Coolant System Vacuum Fill and Inspections, Tests, Analyses, and Acceptance Criteria for Containment Floodup (LAR-17-027S2)," December 18, 2017 (ADAMS Accession No. ML17352B003).
4. Southern Nuclear Operating Company, Vogtle Electric Generating Plant Units 3 and 4, "Supplement to Request for License Amendment and Exemption Regarding Technical Specifications for Reactor Coolant System Vacuum Fill and Inspections, Tests, Analyses, and Acceptance Criteria for Containment Floodup (LAR-17-027S3)," February 14, 2018 (ADAMS Accession No. ML18045A082).
5. Vogtle Units 3 and 4 Updated Final Safety Analysis Report, Revision 4 and Tier 1, Revision 3, July 13, 2015 (ADAMS Accession No. ML15194A443).
6. AP1000 Design Control Document, Revision 19, June 13, 2011 (ADAMS Accession No. ML11171A500).
7. Combined License NPF-91 for Vogtle Electric Generating Plant Unit 3, Southern Nuclear Operating Company (ADAMS Accession No. ML14100A106).
8. Combined License NPF-92 for Vogtle Electric Generating Plant Unit 4, Southern Nuclear Operating Company (ADAMS Accession No. ML14100A135).
9. Audit Summary for Vogtle Electric Generating Plant Units 3 and 4 License Amendment Request 17-027, "Reactor Coolant System Vacuum Fill and ITAAC for Containment Floodup," March 15, 2018 (ADAMS Accession No. ML18074A142).