

Vogle PEmails

From: Habib, Donald
Sent: Thursday, February 28, 2019 9:40 AM
Subject: FW: Draft Response to NRC Questions Regarding Vogle 3 and 4 10 CFR Part 26 Visitor Access Exemption Request
Attachments: ND-19-0178_Part 26 Visitor Exemption Sup 1 DB.pdf

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Sent: Thursday, February 28, 2019 9:14 AM
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Cc: Haggerty, Neil <X2NHAGGE@SOUTHERNCO.COM>
Subject: [External_Sender] Draft Response to NRC Questions Regarding Vogle 3 and 4 10 CFR Part 26 Visitor Access Exemption Request

The attached document is a draft response to the NRC staff's information request regarding the Vogle 3 and 4 request for exemption from 10 CFR Part 26 requirements to allow visitor access.

The purpose of providing this draft response is to obtain concurrence that the additional information provided by SNC is responsive to the staff's information needs, and to prompt an additional clarification call if the staff determines that these responses do not provide sufficient information to complete their review of the exemption request.

Please feel free to contact me at 205-992-5221 if the staff would like an additional clarification call prior to submittal of this letter.

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March 7, 2019

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ND-19-0178
10 CFR 26.9

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Southern Nuclear Operating Company
Vogtle Electric Generating Plant Units 3 and 4
Supplement to Request for Exemption:
10 CFR Part 26 Visitor Access Requirements (Supplement 1)

Ladies and Gentlemen:

By letter dated December 6, 2018, Southern Nuclear Operating Company (SNC) submitted a request for exemption [ADAMS Accession Number ML18340A280] from the requirements of 10 CFR 26.4(f). 10 CFR 26.4(f) requires individuals who construct or direct the construction of safety- or security-related structures, systems, and components (SSCs) to be subject to a fitness-for-duty (FFD) program that meets 10 CFR Part 26, Subpart K, requirements. The requested exemption would permit SNC to use technical and vendor experts to construct or direct the construction of safety- or security-related SSCs for a limited period of time as a visitor under the control of an escort subject to the FFD requirements of 10 CFR Part 26. On January 30, 2019, the NRC Staff sent discussion topics to SNC [ADAMS Accession Number ML19030B846] which were later finalized on February 6, 2019 [ADAMS Accession Number ML19037A317]. These topics were discussed during a public teleconference on February 7, 2019. During this meeting, SNC agreed to voluntarily provide the information requested by the NRC Staff on February 6, 2019.

Enclosure 3 provides the supplemental information requested.

This letter contains no regulatory commitments. This letter has been reviewed and determined not to contain security-related information.

Should you have any questions, please contact Mr. Corey Thomas at (205) 992-5221.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 7th day of March 2019.

Respectfully submitted,

Brian H. Whitley
Director, Regulatory Affairs
Southern Nuclear Operating Company

Enclosures 1 -2) (previously submitted with the original exemption request in SNC letter ND-18-1494)

 3) Vogtle Electric Generating Plant (VEGP) Units 3 and 4 – Supplement to Request for Exemption: 10 CFR Part 26 Visitor Access Requirements (Supplement 1)

cc:

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Southern Nuclear Operating Company

ND-19-0178

Enclosure 3

Vogtle Electric Generating Plant (VEGP) Units 3 and 4

Supplement to Request for Exemption:

10 CFR Part 26 Visitor Access Requirements (Supplement 1)

(This Enclosure consists of 4 pages, including this cover page)

The following are requests for information provided by the NRC Staff on February 6, 2019 [ADAMS Accession Number ML19037A317] regarding the review of the Southern Nuclear Operating Company (SNC) request for exemption [ADAMS Accession Number ML18340A280] from the requirements of 10 CFR 26.4(f) submitted on December 6, 2018. These topics were discussed during a public teleconference on February 7, 2019 in which SNC agreed to voluntarily provide the information requested by the NRC Staff. Responses are provided below for each request for information.

NRC Request for Information #1:

State whether construction visitors will be under direct observation of the assigned escort(s). If the construction visitors are not under direct observation by the assigned escort, describe how the assigned escort can be expected to stop work if they "identify conditions that adversely affect a safety- or security-related SSC" or provide for "immediate communication with security if a visitor problem arises." (ND-18-1494, first paragraph, page 6)

SNC Response to NRC Request for Information #1:

Construction visitors will be under direct observation of the escort in accordance with SNC procedures. This is consistent with the escort responsibilities at SNC operational sites and procedural controls are in place to require escorts to perform direct observation of their visitors.

NRC Request for Information #2:

Summarize how SNC has defined (or described the difference(s) between) individuals directing the construction of safety- or security-related SSCs as used in 10 CFR 26.4(f) and individuals supervising or managing the construction of safety- or security-related SSCs as used in 10 CFR 26.4(e)(5).

SNC Response to NRC Request for Information #2:

SNC definitions for individuals directing the construction of safety- or security-related SSCs and individuals supervising or managing the construction of safety- or security-related SSCs are consistent with the definitions provided in 10 CFR 26.5 (emphasis added).

Directing means the exercise of control over a work activity by an individual who is directly involved in the execution of the work activity, and either makes technical decisions for that activity without subsequent technical review, or is ultimately responsible for the correct performance of that work activity.

Supervises or manages means the exercise of control over a work activity by an individual who is not directly involved in the execution of the work activity, but who either makes technical decisions for that activity without subsequent technical review, or is ultimately responsible for the correct performance of that work activity.

Supervisors or managers that are not directly involved in the execution of the work activity are not in the scope of this exemption request. Administrative controls will be in place to reinforce that supervisors or managers not directly involved in the execution of the work activity will not receive visitor access.

NRC Request for Information #3:

Similar to question 2, summarize how SNC will ensure that construction visitors will not perform the duties, responsibilities, or activities described in 10 CFR 26.4(e), with specific focus on paragraphs 26.4(e)(2) and (4) which apply to individuals who perform "quality assurance, quality control, or quality verification activities related to safety- or security-related construction activities" and "[w]itnesses or determines inspections, tests, and analyses certification required under Part 52 of this chapter," respectively.

SNC Response to NRC Request for Information #3:

Individuals in the scope of 10 CFR 26.4(e) are individuals that:

- (1) Serve as security personnel required by the NRC, until the licensees or other entities receive special nuclear material in the form of fuel assemblies, at which time individuals who serve as security personnel required by the NRC must meet the requirements applicable to security personnel in paragraph (a)(5) of this section;
- (2) Perform quality assurance, quality control, or quality verification activities related to safety- or security-related construction activities;
- (3) Based on a designation under § 26.406 by a licensee or other entity, monitor the fitness of the individuals specified in paragraph (f) of this section;
- (4) Witness or determine inspections, tests, and analyses certification required under Part 52 of this chapter;
- (5) Supervise or manage the construction of safety- or security-related SSCs; or
- (6) Direct, as defined in § 26.5, or implement the access authorization program,

Individuals who perform the roles described in 10 CFR 26.4(e) are not included in the scope of the requested exemption. Administrative controls will be in place to ensure individuals with responsibilities as described in 10CFR 26.4(e) are not granted visitor access.

NRC Request for Information #4:

If in the public interest, qualitatively summarize the estimated cost savings SNC may realize if the NRC approves the requested exemption.

SNC Response to NRC Request for Information #4:

There could be a schedule benefit as there will be a population of individuals that would be immediately available to perform safety- and security-related work at the construction site without the time delays typically associated with the badging process. In the instance where individuals are brought in to support an emergent activity directly related to construction critical path, those individuals would be immediately available to perform work, which would allow the Licensee to bring the unit online earlier, resulting in reduced construction costs, which would ultimately benefit the rate payers (i.e., the public).

NRC Request for Information #5:

If in the public interest, qualitatively summarize the reduction in burden SNC may realize if the NRC approves the requested exemption.

SNC Response to NRC Request for Information #5:

The reduction in burden is the increased flexibility to bring individuals on-site to perform or direct safety- or security-related work with minimal wait time following arrival at the construction site. This flexibility will be extremely beneficial when considering emergent construction activities that impact critical path. Administrative controls will be in place to manage the use of visitors and to direct that appropriate SNC oversight is in place to ensure that this Part 26 exemption is used prudently for visitors to the plant site.