



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NOS. 174 AND 172

TO THE COMBINED LICENSE NOS. NPF-91 AND NPF-92, RESPECTIVELY

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

GEORGIA POWER COMPANY

OGLETHORPE POWER CORPORATION

MEGA POWER SPVM, LLC

MEGA POWER SPVJ, LLC

MEGA 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 August 9, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19221B669), Southern Nuclear Operating Company (SNC) requested that the U.S. Nuclear Regulatory Commission (NRC or Commission) amend Vogtle Electric Generating Plant (VEGP) Units 3 and 4, Combined License (COL) Numbers NPF-91 and NPF-92, respectively.

The License Amendment Request (LAR) 19-015 requested changes to depart from Updated Final Safety Analysis Report (UFSAR) Tier 2 information, which includes plant-specific Design Control Document (PS-DCD) Tier 2 information. It also involves related changes to plant-specific Tier 1 information with corresponding changes to COL Appendix C information. Specifically, LAR 19-015 requested changes outlined as follows:

1. Onsite standby diesel generator loads are added to COL Appendix C that are required for orderly plant shutdown, defense-in-depth, and prevention of automatic passive safety-related system actuation following anticipated operational occurrences.
2. Inspections, Tests, Analyses and Acceptance Criteria (ITAAC) 2.6.01.04c for the function of onsite standby diesel generator breaker closing is deleted and combined with ITAAC 2.6.04.02a to prevent duplication of testing.
3. Editorial updates are provided for clarification and consistency.

Pursuant to Section 52.63(b)(1) of Title 10 of the *Code of Federal Regulations* (10 CFR), SNC also requested an exemption from the provisions of 10 CFR Part 52, Appendix D, "Design Certification Rule for the AP1000 Design," Section III.B, "Scope and Contents." The requested exemption would allow a departure from the corresponding portions of the certified information in Tier 1 of the generic DCD.<sup>1</sup> In order to modify the UFSAR (the PS-DCD) Tier 1 information, the NRC must find SNC's exemption request included in its submittal for the LAR to be acceptable. The staff's review of the exemption request, as well as the LAR, is included in this safety evaluation.

## 2.0 REGULATORY EVALUATION

The staff considered the following regulatory requirements in reviewing the LAR that included the following changes.

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

Appendix D, Section VIII.B.5.a to 10 CFR Part 52 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 Technical Specifications, or requires a license amendment under paragraphs B.5.b or B.5.c of the section.

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 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. These activities involve a change to COL Appendix C ITAAC information, with corresponding changes to the associated plant-specific DCD Tier 1 information. Therefore, NRC approval is required prior to making the plant specific proposed changes in this LAR.

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<sup>1</sup> While SNC 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 PS-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.

10 CFR 52.97(b) requires that the Commission shall identify within the combined license the inspections, tests, and analyses, including those applicable to emergency planning, that the licensee shall perform, and the acceptance criteria that, if met, are necessary and sufficient to provide reasonable assurance that the facility has been constructed and will be operated in conformity with the license, the provisions of the Atomic Energy Act, and the Commission's rules and regulations. Consequently, proposed changes to the ITAAC should continue to meet the requirements of 10 CFR 52.97(b).

The specific NRC technical requirements applicable to LAR 19-015 are the general design criteria (GDC) in Appendix A, "General Design Criteria for Nuclear Power Plants," to 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities." In particular, these technical requirements include the following GDC:

GDC 17, "Electric power systems," requires, in part, that the onsite electric power supplies, including the batteries, and the onsite electric distribution system, shall have sufficient independence, redundancy, and testability to perform their safety functions assuming a single failure. The AP1000 certified design has been granted a partial exemption to GDC 17 as discussed in 10 CFR Part 52 Appendix D. The exemption is specifically for the second offsite power supply circuit.

### 3.0 TECHNICAL EVALUATION

#### 3.1 TECHNICAL EVALUATION OF THE REQUESTED CHANGES

##### 3.1.1 CHANGE 1: PLANT-SPECIFIC TIER 1 TABLE 2.6.1-2 ONSITE STANDBY DIESEL GENERATOR LOADS

This proposed change, per LAR 19-015, consists of two parts that are discussed in succession below.

##### Change 1 Part 1:

The first part of this change proposed the following loads be added to plant-specific Tier 1 COL Appendix C Table 2.6.1-2:

- Main AC Power System (ECS) Panel Transformers
- Diesel Generator Fuel Oil Cooler Fans (ZOS-MA-01A, ZOS-MA-01B)
- Diesel Fuel Oil Transfer Module Unit Heaters (DOS-MB-01A, DOS-MB-01B)
- Diesel Generator Jacket Water Radiator Fans (ZOS-MA-11A, ZOS-MA-11B)
- Diesel Generator Aftercooler/Oil Cooler (AC/OC) Radiator Fans (ZOS-MA-10A, ZOS-MA-10B)
- Diesel Generator Building Engine AHU MS 03A/B Fans (VZS-MA-03A, VZS-MA-03B)
- Fuel Oil Day Tank Vault Exhaust Fans (VZS-MA-02A, VZS-MA-02B)
- Diesel Generator Lube Oil Cooling Motors (ZOS-MP-11A, ZOS-MP-12A, ZOS-MP-11B, ZOS-MP-12B)
- Diesel Generator Transformers (ZOS-ET-03A, ZOS-ET-03B)
- Day Tank Heater Pads (DOS-EH-02A, DOS-EH-02B)
- Air-Cooled Chiller 2 and Chiller 3 Piping Heat Trace
- Air-Cooled Chiller 2 Control and Heat Trace

Above loads with “A” designation in the equipment mark numbers are added to the onsite diesel generator A (ZOS-MG-02A) and loads with “B” designation in the equipment mark numbers are added to the onsite diesel generator B (ZOS-MG-02B) respectively. Similarly, Chiller 2 loads are added to the onsite diesel generator A, and Chiller 3 loads are added to the onsite diesel generator B.

The staff reviewed and verified that these loads are not included in COL Appendix C Table 2.6.1-2, but noted that they are currently listed in the UFSAR Table 8.3.1-1, “Onsite Standby Diesel Generator ZOS MG 02A Nominal Loads,” and Table 8.3.1-2, “Onsite Standby Diesel Generator ZOS MG 02B Nominal Loads.” Staff determined that the addition of these loads to COL Appendix C Table 2.6.1-2 will facilitate consistency with the current information in the UFSAR. The staff finds that these additions to the COL Appendix C Table 2.6.1-2 for the purposes of accuracy and consistency, do not change the design of the aforementioned equipment (loads) and do not result in any changes to onsite diesel generator loading as described and analyzed in the UFSAR.

#### Change 1 Part 2:

The second part of this change proposed corrections to UFSAR Section 9.4.10.2.3.3, “Fuel Oil Day Tank Vault Exhaust Subsystem,” which states that the fuel oil day tank exhaust subsystem is not required to operate during any abnormal plant conditions. This section will be revised to state that the fuel oil day tank vault exhaust fans are required to operate to support diesel generator operation during loss of normal AC power and offsite power, identical to that of normal plant operation.

The staff finds this proposed revision and correction of UFSAR Section 9.4.10.2.3.3 acceptable since operation of this equipment (1) prevents the accumulation of combustible vapors in the fuel oil day tank vault and (2) supports proper operation of standby diesel generators for orderly plant shutdown, defense-in-depth, and prevention of passive safety-related system actuation following anticipated operational occurrences.

### 3.1.2 CHANGE 2: CLASS 1E ELECTRICAL ROOM HVAC SUBSYSTEM LOADS

LAR 19-015 proposed to revise UFSAR Table 8.3.1-1, “Onsite Standby Diesel Generator ZOS MG 02A Nominal Loads,” to add exhaust fan D (VBS-MA-07D) for class 1E battery room as a manual load for onsite standby diesel generator A (ZOS-MG-02A) and revise UFSAR Table 8.3.1-2, “Onsite Standby Diesel Generator ZOS MG 02B Nominal Loads,” to add exhaust fan C (VBS-MA-07C) for class 1E battery room as an automatic load for onsite standby diesel generator B (ZOS-MG-02B). Similarly, the change also proposes COL Appendix C Table 2.6.1-2 to be updated to add class 1E battery room exhaust fan D (VBS-MA-07D) and battery room exhaust fan C (VBS-MA-07C) as additional loads for onsite standby diesel generator A (ZOS-MG-02A) and standby diesel generator B (ZOS-MG-02B), respectively. Consequently, total manually sequenced loads (kW) and total automatically sequenced loads (kw) are revised to consider the addition of these two new loads to onsite standby diesel generators A and B, respectively.

SNC provided a discussion of the additional loading on each diesel generator as a result of the addition of the exhaust fans to the sequencing scheme. The staff reviewed this analysis and confirmed that the additional loads of 1.2 kW for onsite standby diesel generator A, and 1.4 kW for onsite standby diesel generator B are well within the 4000 kW continuous rating previously

analyzed and accepted by the staff in Section 8.3.1.2, "Standby Diesel Generators," of NUREG-1793, Supplement 2, "Final Safety Evaluation Report Related to Certification of the AP1000 Standard Plant Design." The additional loading will bring the total manually connected loads to 1859.1 kW for onsite standby diesel generator A, and the total automatically connected loads of 3103.1 kW for onsite standby diesel generator B. The loading figures for automatically connected load for onsite standby diesel generator A, and manually connected loads for onsite standby diesel generator B remain unchanged as a result of this proposal. The staff noted the sum of the automatically connected load plus the manually connected loads exceed each diesel generator's rating of 4000 kW (4414.3 kW for onsite standby diesel generator A and 4438.3 kW for onsite standby diesel generator B).

Staff had previously reviewed and accepted Section 8.3.1.2 of NUREG-1793, Supplement 2 based on site abnormal operating procedures that will prevent overloading of the diesel generators when manual loads are being added to each diesel generator. As part of this review, staff agrees that there is no need to run all the connected loads to the onsite standby diesel generator powered buses at the same time, per the analysis shown and already accepted in NUREG-1793, Supplement 2. The staff finds that the proposed changes, based on the review of the additional loading that will be within the rating of the diesel generators, were acceptable. Additionally, staff finds that the electrical systems affected in this LAR are not safety systems and have no impact on the plant safety and safe shutdown scenarios.

### 3.1.3 CHANGE 3: RELOCATION OF ITAAC 2.6.01.04C REQUIREMENT

LAR 19-015 proposed relocating requirements of ITAAC 2.6.01.04c and combining them with ITAAC 2.6.04.02a in order to avoid duplication of testing. Control functions associated with ITAAC 2.6.01.04c and ITAAC 2.6.04.02a are similar. According to this proposal, test of closure of the standby diesel generator breaker will be removed from ITAAC 2.6.01.04c and will be added to ITAAC 2.6.04.02a that currently includes automatic start of diesel generators, opening of the 6900 V bus breaker, and attaining rated voltage and frequency upon a simulated loss of voltage signal.

The staff reviewed the current corresponding ITAAC design commitment, testing, and acceptance criteria. The staff verified that the proposed marked up changes will properly combine the two ITAAC and the associated control functions will be adequately tested under a single ITAAC (2.6.04.02a). The staff finds SNC's proposal to avoid duplication of testing efforts and combining ITAAC 2.6.01.04c and ITAAC 2.6.04.02a acceptable based on the adequacy of the modified single ITAAC to address the required control function testing and acceptance criteria.

### 3.1.4 CHANGE 4: EDITORIAL CHANGES

LAR 19-015 proposes editorial changes that will address current inconsistencies in equipment name designations as shown in COL Appendix C and UFSAR for the following:

- Diesel Fuel Oil Pumps 1A and 1B
- Normal Residual Heat Removal System (RNS) Pumps 1A and 1B
- Spent Fuel Pool Cooling System (SFS) Pumps 1A and 1B
- Service Water Pump 1A and 1B Flow Sensors
- Diesel Generator Fuel Oil Transfer Pumps 1A and 1B ND-19-0782
- Component Cooling Water System (CCS) Pumps 1A and 1B

- Chemical and Volume Control System (CVS) Makeup Pumps 1A and 1B

The equipment names shown above are proposed to be modified to replace “1A” designation with “A” and “1B” with “B” for consistency and accuracy. This change affects COL Appendix C Table 2.3.3-1, Table 2.3.6-3, Table 2.3.7-3, Table 2.3.8-1, and Table 2.6.1-2. These changes are for consistency and accuracy only and do not impact the design of said equipment.

The staff reviewed the LAR proposal. The staff verified the current discrepancy between the above-mentioned equipment with those mentioned in the following documents:

- UFSAR Tables 8.3.1-1 and 8.3.1-2
- COL Appendix C Tables 2.3.6-1, 2.3.6-5, 2.3.7-5, 2.3.8-1, 2.6.1-2, 2.3.1-1, 2.3.1-3, 2.3.2-3 and 2.3.2-5
- COL Appendix C Figures 2.3.7-1, “Spent Fuel Pool Cooling System,” 2.3.1-1, “Component Cooling Water System,” 2.3.6-1, “Normal Residual Heat Removal System,” and 2.3.2-1, “Chemical and Volume Control System.”

Staff finds that based on the design of the plant, there is only one set of each of these items designated as “A” or “B.” Staff confirmed that there is no need to specify them as “1A” or “1B.” These changes do not impact equipment or system functionality or change the original design function of the plant. The staff finds the proposal acceptable based on no impact on design and benefits of facilitating consistency among relevant design basis documents.

## SUMMARY

In the LAR, SNC proposed to make changes that would affect the COL Appendix C (ITAAC), the corresponding plant-specific Tier 1 information, as well as the UFSAR. The proposed changes are as follows:

1. Onsite standby diesel generator loads are added to COL Appendix C that are required for orderly plant shutdown, defense-in-depth, and prevention of automatic passive safety-related system actuation following anticipated operational occurrences.
2. ITAAC 2.6.01.04c for the function of onsite standby diesel generator breaker closing is deleted and combined with ITAAC 2.6.04.02a to prevent duplication of testing.
3. Editorial updates are provided for clarification and consistency.

The staff has reviewed the proposed changes and finds the affected sections in COL Appendix C, its corresponding plant-specific Tier 1 and the UFSAR acceptable since the requirements of 10 CFR 52.97(b) are met. The AP1000 certified design has been granted a partial exemption to GDC 17 as discussed in 10 CFR Part 52 Appendix D. The exemption is specifically for the second offsite power supply circuit. The non-safety-related ac power system is designed such that plant auxiliaries can be powered from the grid under all modes of operation. During loss of normal ac power and offsite power, the ac power is supplied by the onsite standby diesel generators. Preassigned loads and equipment are automatically loaded on the onsite standby diesel generators in a predetermined sequence. Additional loads can be manually added as required. However, the onsite standby power system, including the onsite standby diesel generators, are not required for safe shutdown of the plant. Thus, GDC-17 compliance continues to be met for the applicable systems per the current licensing basis and is not affected by the proposed changes. The staff also finds that the revised ITAAC continue to be sufficient to verify that the facility has been constructed and will operate in accordance with the

license, the provisions of the Act, and the Commission's rules and regulations. This finding is based on the fact that combining ITAAC 2.6.01.04c and ITAAC 2.6.04.02a into one, as stated in the LAR, yields the same results as the current two separate ITAACs and all associated control functions will be adequately tested under a single ITAAC (ITAAC No. 2.6.04.02a as revised per the mark ups in the LAR). Therefore, within the scope of this license amendment, the NRC finds that 10 CFR 52.97(b) is satisfied. These changes will enable the licensee to safely construct and operate the AP1000 facility consistent with the design certified by the NRC.

### 3.2 EVALUATION OF EXEMPTION

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 the licensee has identified changes to plant-specific Tier 1 information, with corresponding changes to the associated COL Appendix 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 is described above. The result of this exemption would be that the licensee could implement modifications to Tier 1 information to the UFSAR as well as plant-specific DCD Tier 2 information and COL Appendix C. Pursuant to the provisions of 10 CFR 52.63(b)(1), an exemption from the 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 19-015. 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, are met and that the special circumstances, as defined by 10 CFR 50.12(a)(2), outweigh any potential decrease in safety due to reduced 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. The licensee stated that the requested exemption meets the special circumstances of 10 CFR 50.12(a)(2)(ii). That subsection 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.

### 3.2.1 AUTHORIZED BY LAW

The requested exemption would allow the licensee to implement the amendment described above. This exemption is a permanent exemption limited in scope to particular Tier 1 information. Subsequent changes to this plant-specific Tier 1 information, and corresponding changes to Appendix C or any other Tier 1 information 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. The staff has determined that granting of the licensee’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.

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

As discussed above in the technical evaluation, the proposed changes comply with the NRC’s substantive safety regulations. Therefore, there is no undue risk to the public health and safety.

### 3.2.3 CONSISTENT WITH COMMON DEFENSE AND SECURITY

The proposed exemption would allow changes as described above in the technical evaluation, thereby departing from the AP1000 certified (Tier 1) design information. The changes do not alter or impede the design, function, or operation of any plant structures, systems, and components (SSCs) associated with the facility’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 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.

### 3.2.4 SPECIAL CIRCUMSTANCES

Special circumstances, in accordance with 10 CFR 50.12(a)(2), are present, in part, 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. The underlying purpose of the Tier 1 information is to ensure that a licensee will safely construct and operate the plant based on the certified information found in the AP1000 DCD, which was incorporated by reference into the VEGP Units 3 and 4 licensing basis. The proposed changes described in the above technical evaluation do not impact the ability of any SSCs to perform their functions or negatively impact safety.

Special circumstances are present in the particular circumstances discussed in LAR 19-015 because the application of specified Tier 1 information is not necessary to achieve the underlying purpose of the rule. The proposed changes are equal or provide additional clarity to the existing requirement. The proposed changes do not affect any function or feature used for the prevention and mitigation of accidents or their safety analyses, and no safety-related SSC or function is involved. This exemption request and associated revisions to the Tier 1 information and corresponding changes to Appendix C demonstrate that the applicable regulatory requirements will continue to be met. Therefore, for the above reasons, the staff



finds that the special circumstances required by 10 CFR 50.12(a)(2)(ii) for the granting of an exemption from Tier 1 information exist.

### 3.2.5 SPECIAL CIRCUMSTANCES OUTWEIGH REDUCED STANDARDIZATION

This exemption would allow the implementation of changes to Tier 1 information in the plant-specific DCD and corresponding changes to COL Appendix C that are being proposed in the LAR. The justification provided in LAR 19-015, the exemption request, and the associated licensing basis mark-ups demonstrate that there is a limited change from the standard information provided in the generic AP1000 DCD. The design functions of the system associated with this request will continue to be maintained because the associated revisions to the Tier 1 information support the design function of the onsite standby diesel generators. Consequently, the safety impact that may result from any reduction in standardization is minimized, because the proposed design change does not result in a reduction in the level of safety. Based on the foregoing reasons, as required by 10 CFR Part 52.63(b)(1), the staff finds that the special circumstances outweigh the effects the departure has on the standardization of the AP1000 design.

### 3.2.6 NO SIGNIFICANT REDUCTION IN SAFETY

This exemption would allow the implementation of changes discussed above. The exemption request proposes to depart from the certified design by allowing changes discussed above in the technical evaluation. The changes for consistency will not impact the functional capabilities of the system. The proposed changes will not adversely affect the ability of the onsite standby diesel generators to perform its design functions, and the level of safety provided by the current systems and equipment therein is unchanged. 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.

## 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 January 2, 2020. 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 has 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, and that 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 (84 FR 53768 published on October 8, 2019). 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) presents special circumstances, and (5) does not reduce the level of safety at the licensee's facility. Therefore, the staff grants the licensee an exemption from Tier 1 information requested by the licensee.

The staff has concluded, based on the considerations discussed in Section 3.1, 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 to be acceptable.

## 7.0 REFERENCES

1. Vogtle Electric Generating Plant Units 3 and 4 Combined Operating License, Appendix C, "Vogtle Electric Generating Plant Unit 3 and 4 Inspections, Tests, Analyses, and Acceptance Criteria," February 10, 2012 (ADAMS Accession No. ML112991102 and ML113060437).
2. Vogtle Electric Generating Plant, Unit 3 Current Facility Combined License NPF-91, (ADAMS Accession No. ML14100A106).
3. Vogtle Electric Generating Plant, Unit 4 Current Facility Combined License NPF-92, (ADAMS Accession No. ML14100A135).
4. Vogtle Electric Generating Plant Units 3 and 4, Updated Final Safety Analysis Report, Revision 8, June 14, 2019 (ADAMS Accession No. ML19171A096).
5. AP1000 Design Control Document, Revision 19, June 13, 2012 (ADAMS Accession No. ML11171A500).
6. U.S. Nuclear Regulatory Commission, "Final Safety Evaluation Report Related to the Combined Licenses for Vogtle Electric Generating Plant, Units 3 and 4," NUREG-2124, Volume 1, September 30, 2012 (ADAMS Accession No. ML12271A045).
7. U.S. Nuclear Regulatory Commission, "Final Safety Evaluation Report Related to Certification of the AP1000 Standard Plant Design," NUREG-1793, Supplement 2, August 5, 2011 (ADAMS Accession No. ML112061231).

8. Southern Nuclear Operating Company, Vogtle Electric Generating Plant Units 3 and 4, Request for License Amendment and Exemption LAR-19-015, "Onsite Diesel Generator Loading Changes," August 9, 2019 (ADAMS Accession No. ML19221B669).