



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

March 2, 2020

MEMORANDUM TO: Victor E. Hall, Chief
Vogtle Project Office
Office of Nuclear Reactor Regulation

FROM: Jennivine Rankin, Project Manager **/RA/**
Vogtle Project Office
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF A PUBLIC MEETING WITH SOUTHERN NUCLEAR
OPERATING COMPANY ON FEBRUARY 13, 2020

The U.S. Nuclear Regulatory Commission (NRC) staff held a Category 1 public meeting with Southern Nuclear Operating Company (SNC) on February 13, 2020. The purpose of the meeting was to discuss SNC's proposed license amendment request (LAR) to change Combined License (COL) license condition (LC) 2.D.(1) and to discuss non-material issues related to completion of inspections, tests, analyses, and acceptance criteria (ITAAC).

The meeting notice can be found in the Agencywide Documents Access and Management System (ADAMS) under Accession No. ML20043C588. The meeting notice is also posted on the NRC public website. Enclosures 1 and 2 are the meeting agenda and attendance list for the meeting, respectively. The other documents referenced during the discussion can be found at the ADAMS Accession Nos. given below:

<ul style="list-style-type: none">• SNC Slides for COL Condition 2.D.(1) and non-material issues related to ITAAC	ML20038A102
<ul style="list-style-type: none">• Draft Sample LAR to support non-material issues related to ITAAC discussion	ML20041E075
<ul style="list-style-type: none">• NRC presentation Slides to support non-material issues related to ITAAC discussion	ML20042E344

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Summary of Meeting:Technical Discussion: Proposed LAR to change COL License Condition 2.D.(1)

On February 13, 2020, staff from the NRC conducted a public meeting with representatives from SNC to discuss a potential LAR to change COL License Condition 2.D.(1) by replacing the Changes during Construction (CdC) process addressed in COL-ISG-025, "Interim Staff Guidance on Changes During Construction Under 10 CFR Part 52," with a site-specific at-risk CdC process. SNC staff reviewed the background of COL-ISG-025, the administrative burden of the preliminary amendment request (PAR) process and the need for a change to allow additional flexibility during construction by allowing construction/testing to lead licensing basis changes prior to commencement of power ascension testing. SNC emphasized that the proposal of replacing the PAR process in LC 2.D.(1) with an allowance to proceed at-risk with construction/testing activities in advance of a regulatory evaluation would require that the CdC be incorporated, or the plant restored to the current licensing basis prior to the applicable requirement being needed (e.g., ITAAC closure notification (ICN) submittal, technical specifications mode applicability). In addition, SNC maintains the risk of returning the plant to the CLB if the change is not approved. The NRC and SNC discussion are highlighted below:

- The NRC staff expressed concern that SNC's proposed revision to LC 2.D.(1) language does not identify a timeframe for when LARs should be formally submitted to the NRC.
- SNC stated that formal completion of a straightforward Title 10 of the *Code of Federal Regulations* (10 CFR) 50.59 evaluation takes a minimum of several days. SNC's proposal would rely on the corrective action program to document the engineering analysis and decision. The regulatory decision via the 10 CFR 50.59 or LAR would be complete prior to the needed date.
- The NRC staff noted that SNC should look to see if other processes or regulations are affected. Examples include the ICN process, changes to Tier 1 information, exemptions to other portions of 10 CFR, ITAAC hearing process, and the proposed no significant hazards considerations under 10 CFR 50.91.
- The NRC staff noted that originally COL-ISG-025 was based on the interpretation that 10 CFR 50.10 does not allow construction to proceed until the licensing basis is changed. The current proposal is a change in the interpretation of 10 CFR 50.10 to only apply to the licensee receiving the appropriate license (e.g., Combined License) prior to commencing construction.
- The NRC staff is currently working on draft regulatory guide (DG) 1321 to allow more flexibility during construction. The staff expects to have the DG out for public comment around March 2020. This may inform SNC's future LAR submittal.
- SNC indicated they will evaluate the NRC staff's feedback and schedule a pre-submittal meeting with the NRC staff at a future date.

At the conclusion of the presentation, there was an opportunity for the public to provide comments and ask questions. There were several public comments questioning the need for a modification of the LC and SNC's interpretation of 10 CFR 50.10(c). In addition, there was a question regarding the applicability of SNC's proposal on advanced reactors. The NRC responded that the results of the DG would inform its applicability throughout the industry.

Technical Discussion: Non-Material Issues Related to Completion of ITAAC

On February 13, 2020, staff from the NRC conducted a public meeting with representatives from SNC to discuss non-material issues related to completion of ITAAC. The SNC and NRC discussion are highlighted below:

- SNC described a streamlined LAR to address instances where requirements in an ITAAC were not necessary to show the design commitment was met. SNC also provided an example with testing of the accumulator that limited the SNC's flexibility during construction.
- The NRC staff provided a timeline of how the NRC could streamline its review to approximately 35 days depending on the complexity and safety significance of the issue.
- SNC and the NRC staff agreed communication between licensing organizations would be important in establishing expectations.
- SNC indicated that in the 2015 timeframe, SNC performed a global review of the ITAAC and submitted LARs to correct many of the ITAAC affecting the design. Currently, the anticipated LARs would be associated with the installation and testing components of the ITAAC.
- The NRC staff proposed crafting the LAR to reflect how NRC conducts its review. This may save the staff time during the review.
- The NRC staff emphasized that this is not a departure from agency processes and the reviews will be conducted commensurate with the safety significance of the requested change in accordance with our principles of good regulation.

At the conclusion of the presentation, there was an opportunity for the public to provide comments and ask questions. There were no comments or questions from the public.

Docket Nos.: 52-025
52-026

Enclosure:
As stated

cc w/encls: See next page

SUMMARY OF A PUBLIC MEETING WITH SOUTHERN NUCLEAR OPERATING COMPANY
ON FEBRUARY 13, 2020 DATED: March 2, 2020

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***via e-mail**

NRC-001

OFFICE	PM: NRR/VPO	LA: NRR/VPO	PM: NRR/VPO	BC: NRR/VPO
NAME	JRankin* (c)	RButler*	CSantos*	VHall*
DATE	2/24/2020	2/16/2020	2/25/2020	2/28/2020
OFFICE	PM: NRR/VPO			
NAME	JRankin (s)			
DATE	3/2/2020			

OFFICIAL RECORD COPY

AGENDA FOR PUBLIC MEETING
U.S. NUCLEAR REGULATORY COMMISSION (NRC)
Thursday, February 13, 2020
Teleconference
9:30 a.m. – 12:00 p.m.

PURPOSE: To discuss issues associated with the safety review of licensing actions for Southern Nuclear Operating Company's (SNC) Vogtle Electric Generating Plant (VEGP) Units 3 and 4.

OPEN

<u>Time</u>	<u>Topic</u>	<u>Led By</u>
9:30 a.m.	Opening Remarks	NRC
9:40 a.m.	Discussion of Identified Topics	NRC/SNC
	Opportunity for Public Comment	NRC/Public
	Open Portion Concludes	

<u>CLOSED</u>	(If needed)	NRC/SNC
12:00 p.m.	Adjourn	

PUBLIC MEETING
U.S. NUCLEAR REGULATORY COMMISSION
Thursday, February 13, 2020
One White Flint North, Room O-11B4
9:30 a.m. – 12:00 p.m.

List of Attendees

Name	Organization
Representing the Nuclear Regulatory Commission	
Jennivine Rankin Mike King Chandu Patel Vic Hall Alina Schiller Billy Gleaves Don Habib* Chris Welch* Olivier Lareynie	NRR/VPO
Michael Spencer Bob Weisman* Olivia Mikula* Joe Gillespie	OGC
Anna Bradford Michael Dudek	NRR/DNRL
Denise McGovern	SECY
Representing Industry	
Amy Chamberlain Neil Haggerty Eddie Grant Steven Leighty* Tom Petrak* Mark Humphries*	Southern Nuclear Operating Company
Public	
Ravi Joshi*	Public
Steve Franzone*	Florida Power and Light
Jana Bergman*	Curtiss-Wright
Bill Freebairn*	Platts

* = participated via teleconference

Vogtle Mailing List

(Revised 2/13/2020)

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County Commissioner
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Gwendolyn Jackson
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Mr. Reece McAlister
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