



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

April 29, 2022

Ms. Cheryl A. Gayheart
Regulatory Affairs Director
Southern Nuclear Operating Co., Inc.
3535 Colonnade Parkway
Birmingham, AL 35243

SUBJECT: EDWIN I. HATCH NUCLEAR PLANT, UNITS 1 AND 2 – SUPPLEMENTAL
INFORMATION NEEDED FOR ACCEPTANCE OF REQUESTED LICENSING
ACTION RE: AMENDMENT REQUEST APPLICATION TO REVISE
TECHNICAL SPECIFICATIONS TO ADOPT TECHNICAL SPECIFICATIONS
TASK FORCE (TSTF) TRAVELER TSTF-208, REVISION 0, "EXTENSION OF
TIME TO REACH MODE 2 IN LCO [LIMITING CONDITION FOR
OPERATION] 3.0.3" (EPID L-2022-LLA-0045)

Dear Ms. Gayheart:

By letter dated March 25, 2022 (Agencywide Documents and Access Management System (ADAMS) Accession No. ML22087A169), Southern Nuclear Operating Company (SNC, the licensee) submitted a license amendment request (LAR) for Edwin I. Hatch Nuclear Plant (Hatch), Units 1 and 2. The proposed LAR would eliminate the Limiting Condition for Operation (LCO) 3.0.3 requirement to be in MODE 2 within an allowable time limit based on the approved Technical Specifications Task Force (TSTF) Traveler TSTF-208, Revision 0, "Extension of Time to Reach Mode 2 in LCO 3.0.3."

On April 20, 2022, the U.S. Nuclear Regulatory Commission (NRC) staff held a clarifying call with SNC to ensure the NRC staff understands the LAR.

The purpose of this letter is to provide the results of the NRC staff's acceptance review of this LAR. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Consistent with of Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.90, an application for an amendment to a license (including the technical specifications) [or construction permit] must fully describe the changes requested, and following as far as applicable, the form prescribed for original applications. Section 50.34 of 10 CFR addresses the content of technical information required. This section stipulates that the submittal address the design and operating characteristics, unusual or novel design features, and principal safety considerations.

The NRC staff has reviewed your application and concluded that the information delineated in the enclosure to this letter is necessary to enable the staff to make an independent assessment regarding the acceptability of the proposed amendment/relief request in terms of regulatory requirements and the protection of public health and safety and the environment.

In order to make the application complete, the NRC staff requests that SNC supplement the application to address the information requested in the enclosure within 13 working days from the date of the call. This will enable the NRC staff to begin its detailed technical review. If the information responsive to the NRC staff's request is not received by the above date, the application will not be accepted for review pursuant to 10 CFR 2.101 and the NRC will cease its review activities associated with the application. If the application is subsequently accepted for review, you will be advised of any further information needed to support the staff's detailed technical review by separate correspondence.

The information requested and associated time frame in this letter were discussed with you and Ryan M. Joyce of your staff on April 28, 2022.

If you have any questions, please contact me at (301) 415-3100 or by email at John.Lamb@nrc.gov.

Sincerely,

John G. Lamb, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-321 and 50-366

Enclosure:
As stated

cc: Listserv

SUPPLEMENTAL INFORMATION REQUEST

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed your application and concluded that it did not provide technical information in sufficient detail to enable the staff to complete its detailed review and make an independent assessment regarding the acceptability of the proposed amendment in terms of regulatory requirements for the protection of public health and safety and the environment. This informational need was conveyed to Southern Nuclear Operating Company by phone call on April 28, 2022. During this phone call, the NRC staff identified that the following issues prevent the staff from beginning its technical review:

- The proposed change is a significant, unjustified departure from the logic and reasoning in the regulatory guidance for Limiting Condition for Operation (LCO) 3.0.3. That is, rather than ensuring a controlled, orderly plant shutdown when the LCO is not met and associated Required Action and Completion Time is not met or the condition of the unit is not specifically addressed by the associated ACTIONS, the proposed structure sets up a requirement that would allow up to 12 hours and 59 minutes of MODE 1 operation, followed by a requirement to maneuver the plant to MODE 3 nearly instantaneously.
- The proposed change removes restrictions that prevent continued operation when an LCO is not met and associated Required Action and Completion Time is not met or the condition of the unit is not specifically addressed by the associated ACTIONS and would create an allowance to stay in MODE 1 for up to almost 13 hours when an LCO is not met. This proposal is contrary to Title 10 of the *Code of Federal Regulations*, Section 50.36, which directs plant shutdown when an LCO is not met.
- The proposed change is not in alignment with the referenced Technical Specifications Task Force (TSTF) Traveler TSTF-208. TSTF-208 maintained the MODE 2 requirement in LCO 3.0.3. The proposed change is a significant deviation from TSTF-208.
- Finally, contrary to the statement on E1-6 of the license amendment request, the proposed change is not similar to any of the three referenced precedents, which all maintained a requirement to reach MODE 2 in a plant-specific justified time.

Enclosure

SUBJECT: EDWIN I. HATCH NUCLEAR PLANT, UNITS 1 AND 2 – SUPPLEMENTAL INFORMATION NEEDED FOR ACCEPTANCE OF REQUESTED LICENSING ACTION RE: AMENDMENT REQUEST APPLICATION TO REVISE TECHNICAL SPECIFICATIONS TO ADOPT TECHNICAL SPECIFICATIONS TASK FORCE (TSTF) TRAVELER TSTF-208, REVISION 0, “EXTENSION OF TIME TO REACH MODE 2 IN LCO [LIMITING CONDITION FOR OPERATION] 3.0.3” (EPID L 2022 LLA 0045) DATED: APRIL 29, 2022

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