Participants filing adjudicatory documents in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC’s electronic hearing docket, which is available to the public at https://adams.nrc.gov/ehd, unless excluded pursuant to an order of the Commission or the presiding officer. If you do not have an NRC-issued digital ID certificate as described above, click “cancel” when the link requests certificates and you will be automatically directed to the NRC’s electronic hearing dockets where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or personal phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. For example, in some instances, individuals provide home addresses in order to demonstrate proximity to a facility or site. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

For further details with respect to this action, see the application for license submission.

Documents submitted in adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and would constitute a Fair Use application, of the adjudicatory filings and 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complying with the NRC’s regulations for fire protection programs for licensees that have certified that their plants have permanently ceased operations and that the fuel has been permanently removed from the reactor vessels.

The staff does not, at this time, intend to impose the positions represented in the RG in a manner that would constitute backfitting or affect the issue finality of a part 52 of title 10 of the Code of Federal Regulations approval. If, in the future, the staff seeks to impose a position in the RG in a manner that constitutes backfitting or does not provide issue finality as described in the applicable issue finality provision, then the staff would need to address the backfit rule or the criteria for avoiding issue finality as described in the applicable issue finality provision.

The staff does not, at this time, intend to impose the positions represented in the RG in a manner that would constitute forward fitting. If, in the future, the staff seeks to impose a position in the RG in a manner that constitutes forward fitting, then the staff would need to address the forward fitting criteria in Management Directive 8.4, “Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests.” (ADAMS Accession No. ML18093B008).

Dated: January 6, 2021.

For the Nuclear Regulatory Commission.

Meraj Rahimi,
Chief, Regulatory Guidance and Generic Issues Branch, Division of Engineering, Office of Nuclear Regulatory Research.

FOR FURTHER INFORMATION CONTACT:
NRC’s Agencywide Documents Access and Management System (ADAMS): You may obtain publicly available documents online in the ADAMS Public Documents collection at https://www.nrc.gov/reading-rm/adams.html. To begin the search, select ‘Begin Web-based ADAMS Search.’ For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document. The request for the amendment and exemption was designated License Amendment Request (LAR) 20–001 and submitted by letter dated February 7, 2020. (ADAMS Accession No. ML20038A939).

Attention: The PDR, where you may examine and order copies of public documents is currently closed. You may submit your request to the PDR via email at pdr.resource@nrc.gov or call 1–800–397–4209 or 301–415–4737, between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is issuing License Amendment No. 182 to COL NPF–91 and is granting an exemption from Tier 1 information in the plant-specific DCD for VEGP Unit 3. The generic AP1000 DCD is incorporated by reference in appendix D, “Design Certification Rule for the AP1000,” to part 52 of title 10 of the Code of Federal Regulations (10 CFR). The exemption, granted pursuant to paragraph A.4 of section VIII, “Processes for Changes and Departures,” of 10 CFR part 52, appendix D, allows the licensee to depart from the Tier 1 information. With the requested amendment, SNC sought proposed changes to the north–south minimum seismic gap requirements above grade between the nuclear island and the annex building west of Column Line I from elevation 141 feet through 154 feet to accommodate as-built localized nonconformances.

Part of the justification for granting the exemption was provided by the review of the amendment. Because the exemption is necessary in order to issue the requested license amendment, the NRC granted the exemption and issued the amendment concurrently, rather than in sequence. This included issuing a combined safety evaluation containing the NRC staff’s review of both the exemption and license amendment requests. The exemption met all applicable regulatory criteria set forth in §§ 50.12, 52.7, and 52.63, and in section VIII.A.4 of appendix D to 10 CFR part 52. The license amendment was found to be acceptable as well. The combined safety evaluation is available in ADAMS under Accession No. ML20132A078.

The exemption document for VEGP Unit 3 can be found in ADAMS under Accession No. ML20132A077. The exemption is reproduced (with the exception of abbreviated titles and additional citations) in Section II of this document. The amendment documents for COL NPF–91 are available in ADAMS under Accession No. ML20132A052. A summary of the amendment documents is provided in Section III of this document.

II. Exemption

Reproduced in this notice is the exemption document issued to VEGP Unit 3. It makes reference to the combined safety evaluation that provides the reasoning for the findings made by the NRC (and listed under Item 1) in order to grant the exemption:

1. In a letter dated February 7, 2020, Southern Nuclear Operating Company requested from the Nuclear Regulatory Commission an exemption to allow