



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

July 25, 2023

MEMORANDUM TO: Chair Hanson
Commissioner Wright
Commissioner Caputo
Commissioner Crowell

FROM: Andrea D. Veil, Director  Signed by Veil, Andrea
Office of Nuclear Reactor Regulation on 07/25/23

SUBJECT: FINDING IN ACCORDANCE WITH 10 CFR 52.103(g)
THAT ALL ACCEPTANCE CRITERIA ARE MET FOR
VOGTLE ELECTRIC GENERATING PLANT, UNIT 4

The purpose of this memorandum is to inform the Commission that the staff has now completed its review of all inspections, tests, analyses, and acceptance criteria (ITAAC) notifications and all ITAAC-related inspections for Vogtle Electric Generating Plant (VEGP), Unit 4. In addition, the staff is providing an updated status of inspection activities related to operational programs. Previously, in a memorandum to the Commission dated February 8, 2023, the staff provided the status of inspection and licensing activities related to ITAAC closure and operational programs for VEGP, Unit 4 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML22214B335).

The staff has determined that Southern Nuclear Operating Company, Inc., has met all the acceptance criteria in Appendix C to VEGP Unit 4 Combined License NPF-92. The basis for this determination is included in a Basis Document that is publicly available at ML22348A088 and is also on the U.S. Nuclear Regulatory Commission (NRC) public website: <https://www.nrc.gov/reactors/new-reactors/col-holder/vog4.html>. Therefore, the staff is ready to make a finding that the acceptance criteria are met, under Title 10 of the *Code of Federal Regulations* (10 CFR) 52.103(g). The staff plans to make this finding by July 28, 2023.

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Upon issuing the finding, NRC oversight of VEGP Unit 4 will be transitioned from the Construction Reactor Oversight Process pursuant to Inspection Manual Chapter (IMC) 2505, "Periodic Assessment of Construction Inspection Program Results," to the Reactor Oversight Process (ROP) pursuant to IMC 0305, "Operating Reactor Assessment Program." This transition will result in Unit 4 being transferred from the Licensee Response Column of the Construction Action Matrix to the Licensee Response Column in the ROP Action Matrix.

When the 10 CFR 52.103(g) finding is made, the licensee may begin operation of the facility in accordance with the terms and conditions of the license. Prior to loading fuel, the licensee must be in compliance with the applicable Technical Specifications and license conditions. These requirements are separate from ITAAC and are not verified as part of the 10 CFR 52.103(g) finding.

A *Federal Register* notice (draft available at ML22348A102) will be issued announcing the 10 CFR 52.103(g) finding. The staff will also send a letter to the licensee (draft available at ML22348A094).

All operational programs required to be implemented prior to fuel loading have either been implemented or are on track to be implemented prior to fuel loading. There are no significant identified issues arising from operational program inspections that require NRC action beyond normal planned inspection activities. The Enclosure shows the status of operational program inspections.

Enclosure:
Operational Program Inspection
Status Table

cc: SECY
EDO
OGC
OCA
OPA
CFO

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 DATED: July 25, 2023

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