

Vogle PEmails

From: Moorer, Tom C. [TCMOORER@southernco.com]
Sent: Wednesday, May 07, 2008 2:57 PM
To: Mark Notich
Subject: ND-ARL-012v1.pdf - Adobe Reader
Attachments: ND-ARL-012v1.pdf

<<ND-ARL-012v1.pdf>>

Mark:

Please find attached SNC procedure ND-ARL-012 "New and Significant". I hope that it is helpful. I received your voice mail shortly before lunch regarding the information package from the RAIs. At this time, I am waiting on the press release from GPC identifying the cost information to come out and/or the OK to send the information without it. I wanted to send this information as a complete package, including the cost info. However, if it is delayed further, do you want me to send the balance of the package or hold until I can send everything. I assumed you would rather have as much as you can get, but was not sure.

Please advise.

TCM

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**Administrative
Procedure**

Guidance For New And Significant
Information

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Version 1.0
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Appropriate Manager Approval: _____ Original Signed by Charles R. Pierce
(Signature)


Approval Date: _____ 10/08/2007 _____

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1.0 Purpose

The purpose of this procedure is to provide guidance to the preparers of the Environmental Report (ER) for the Vogtle Combined Construction and Operating License (COL) application referencing an Early Site Permit (ESP) for completion of the New and Significant Information required by 10 CFR 51.50 (c) (1). Specifically, this procedure identifies and documents the review process to be used by Southern Nuclear Operating Company (SNC) to identify and evaluate potential new and significant information not included in, or beyond the scope of information documented in the U.S. Nuclear Regulatory Commission's (NRC) Environmental Impact Statement (EIS) prepared for the ESP. This procedure provides a systematic process to identify new information. The procedure also provides instruction for evaluation of the information for significance and documentation of the results in a form that is suitable for NRC review and audit. A process for including any information determined to be both new and significant in the COLA Environmental Report (ER) is also provided.

This document applies only to those issues that are determined by the NRC to be RESOLVED in the EIS. NRC guidance on the New and Significant determination process is contained in SECY2006-0220 and in the Final Rule (72 FR49352-49566, August 28, 2007 @ pp 49431). Unresolved issues must be addressed in the COL ER.

2.0 Applicability

This document is applicable to the preparers and evaluators of the Environmental Report (ER) for the Vogtle Combined License application (COLA). In the context of a COL application that references an ESP, the term "new" in the phrase "New and Significant Information" means: any information that was both: (1) Not considered in preparing the ESP Environmental report or EIS (as may be evidenced by references in these documents, applicant responses to NRC Requests for Additional Information, comment letters, etc.) and, (2) Not generally known or publicly available during the preparation of the EIS (such as information in reports, studies, and treatises).

For new information to be "significant" it must be material to the issue being considered; that is it must have the "potential to affect the findings and conclusions of the NRC staff's evaluation of the issue." The NRC will utilize the COL site audit process to confirm that the applicant's process for identifying new and significant information is effective, based on the criteria discussed above.

The NRC states in the Final Rule:

In general, if the (COL) application references an Early Site Permit (ESP), the application need not contain information or analyses submitted to the Commission in connection with the ESP, but must contain, in addition to the information and analyses otherwise required:

- *Any New and Significant information for issues related to the impacts of construction and operation of the facility that were resolved in the ESP proceeding; and,*
- *A description of the process used to identify New and Significant information for those matters that were resolved during the ESP process.*

The Vogtle COL submittal will be made prior to receipt of the Final Environmental Impact Statement (FEIS) and the ESP. As such, the new and significant review process contemplated by 10 CFR 51.50 (c) (1) does not support the Vogtle COL process. Based on discussion with NRC, SNC has developed a process that will use the comment process for the draft ESP EIS as the primary mechanism to identify and disposition any information identified as new and significant. Since the EIS for the Vogtle ESP will still be in draft form, any new and significant information identified during the 75 day comment period for the EIS will be provided to the NRC as comments on the draft EIS, in lieu of including this information in the COL ER. This allows the NRC the opportunity to include this information in the final EIS for ESP. In the event any new and significant information is identified in the relatively short period between the end of the comment period and the COL application submittal, this information will be included in the COL application ER. Since most, if not all, of any new and significant information identified for the Vogtle EIS will be dispositioned during the EIS comment period, the COL ER will include the following:

- A summary of any new and significant information identified during the EIS comment period and provided as comments to the NRC.
- Any new and significant information that is identified by SNC between the end of the comment period and the COL application submittal. SNC will apply a review process similar to the process discussed above during the period after the comment process closes to identify any potential new and significant information discovered during this period and ensure it is reflected in the COL submittal.

Records generated from the new and significant review process will be retained in a form suitable for NRC audit and will be provided to NRC for review during the COL site audit.

3.0 References

- A. 10 CFR 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions."
- B. 10 CFR 52, "Early Site Permits, Standard Design Certifications, and Combined Licenses for Nuclear Power Plants."
- C. 40 CFR Chapter V, Council on Environmental Quality, Parts 1500 through 1518
- D. DG-1145, Combined License Applications for Nuclear Power Plants (LWR Edition), U.S. Nuclear Regulatory Commission, Updated July 12, 2006.
- E. NEI 04-01, Rev E, "Draft Industry Guidance for Combined License Applicants Under 10 CFR Part 52."
- F. NUREG-1437, Generic Environmental Impact Statement for License Renewal of Nuclear Plants, U.S. Nuclear Regulatory Commission, May 1996.
- G. NUREG-1555, Standard Review Plans for Environmental Reviews for Nuclear Power Plants, U.S. Nuclear Regulatory Commission, October 1999.
- H. Westinghouse Design Control Document (DCD) Revision 16 including applicable Topical Reports

4.0 Definitions

SMALL

Environmental effects are not detectable or are so minor that they will neither destabilize nor noticeably alter any important attribute of the resource.

MODERATE

Environmental effects are sufficient to alter noticeably, but not to destabilize, important attributes of the resource.

LARGE


Environmental effects are clearly noticeable and are sufficient to destabilize important attributes of the resource.

New Information

Information that was both: (1) not considered in preparing the ESP environmental report (ER) or EIS (as may be evidenced by references in these documents, applicant responses to NRC requests for additional information (RAIs), comment letters, etc.), and (2) not generally known or publicly available during the preparation of the EIS (such as information in studies and reports, etc.).

Significant Information

Information must be material to the issue under consideration and must have the potential to "materially affect the NRC evaluation of the issue." If there is new and significant information available on a previously resolved issue, the staff will limit its inquiry to determine if the information changes the Commission's earlier conclusion. For example, if the conclusion is changed from SMALL to LARGE, then the information is considered significant.

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5.0 Responsibilities

QUALIFIED INVESTIGATIVE TEAM


SNC will use a Qualified Investigative Team approach to both the periodic review and the new and significant process. A Qualified Investigative Team comprises individuals from existing nuclear power stations, engineering and operations support groups, environmental departments, operations and/or transmission planning departments, and other functional areas, as well as contractors, consultants, and legal personnel with experience related to the project. The team will be led by the Environmental Project Manager and will be composed of Subject Matter Experts (SMEs) consisting of section authors, contractors and consultants, and others with expert level of knowledge relative to the subject matter in the EIS.

Subject Matter Experts (SMEs)

This group may include designees from SNC contractors Tetra-Tech, Bechtel, Third Rock, New South, Eco-science; personnel from SNC and GPC Environmental Affairs; and others with expert level knowledge of pertinent subject matter. These individuals, as a group, have extensive knowledge about plant systems, site environs, station environmental issues, and the regulatory environment and will serve as subject matter experts (SMEs) to evaluate the new information and, using their best professional judgment (BPJ), determine the significance of each item. These SMEs will also be utilized to conduct the necessary inquiries of regulatory agencies, academia, and other resources that may have knowledge of new information regarding the proposed project. The SMEs may utilize other personnel, as appropriate to assist in identification of material that may be classified as “new” and potentially “significant.” Once the universe of “new” material is identified, the material will be reviewed by the SME as directed by the Environmental Project Manager (EPM). SME review will be limited to only those areas in which the SME is qualified to make the determination of significance. After the SME determination is made, the complete information set will be reviewed by a peer team consisting of a designated group of SMEs and others as determined by the EPM. The EPM will review all determinations by the SMEs and will have the final decision as to the significance of any potential new information. The EPM will solicit assistance from the legal staff, or other experts if needed in making the final significance determination. This combination of onsite and offsite multi-disciplinary personnel comprises a team that is qualified to implement the “new and significant” information identification and evaluation process.

Environmental Project Manager (EPM)

The Environmental Project Manager (EPM) has the overall responsibility for the New and Significant review process. The EPM assigns the SME’s and Peer Review team to ensure each topic is adequately addressed and is responsible for all documentation requirements and quality control mechanisms applicable to the process.

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6.0 Process Description

6.1 NEW AND SIGNIFICANT INFORMATION REVIEW PROCESS

6.1.1 Primary Review

This guide provides the process to be used by the preparers of the ER to identify new and significant environmental information in conjunction with the preparation of the Environmental Analyses for a COLA. The primary purpose of this process is to provide a methodical, comprehensive review of the ESP EIS to identify the presence of new and significant information that may be used to inform the COL Environmental Report to ensure that the Final EIS for the COL reflects a complete evaluation of the environmental impact of the proposed action on the site environs. In the COLA ER analysis, the search for new information is based on a reasonable process as described in this guidance, systematically performed by a qualified investigative team using their best professional judgment. The Final Rule states that in the COL ER review process, the COL EIS “brings forward the Commission’s earlier conclusions from the ESP EIS and articulates the activities undertaken by the NRC staff to ensure that an issue that was resolved can remain resolved. If there is new and significant information on a previously resolved issue, then the staff will limit its inquiry to determine if the information *changes the Commission’s earlier conclusion*.

Note: For information to be considered significant, it must be material to the issue being considered, and it must have the potential to affect the NRC staff’s evaluation of the issue. NRC staff elaborated on this definition indicating that the information must have the potential to affect the findings or conclusions of the staff. The NRC established three significance levels for environmental impacts: SMALL, MODERATE, and LARGE. One of these three significance levels was assigned to each impact evaluated and resolved in the EIS. For the purposes of this significance evaluation, new information is considered significant if it has the potential to change an NRC assigned level of significance; e.g., SMALL to MODERATE. In addition, information that has the potential to alter or change an NRC finding or conclusion in the EIS, should also be considered significant.

Identification and evaluation of new information can be conducted simultaneously.

Attachment 1 provides a flowchart that illustrates the steps for the COL New and Significant Information process as described below.

The basic process for identifying new and significant information involves a systematic review of the draft EIS and relevant supporting information to identify “key inputs” that are used by the NRC to reach their findings and conclusions documented in the EIS. A “key input” is defined as key information or assumptions that the NRC uses to support the findings and conclusions of the EIS. The key inputs are found throughout the text of the EIS and the key assumptions are included in Appendix J of the EIS. Key Site Characteristics, Westinghouse Design parameters, and Site Interface values are found in Appendix I and dose calc assumptions are found in Appendix G of the EIS. These key inputs identify the main sources of information considered in developing the evaluations that support the findings and conclusions of the EIS. New information related to this material must be evaluated to determine if it could significantly have impacted the evaluation supporting the EIS conclusions. This process will only be applied to EIS Chapters where NRC conclusions are documented. For example, Chapter 1 does not contain any findings or conclusions. As such, Chapter 1 would not be applicable for the new and significant information review. The reviews will be conducted by designated Subject Matter Experts (SMEs) who are considered to have expert level of knowledge in their designated subject areas. The SMEs will be identified by the Environmental Project Manager (EPM). The EPM will identify each SME and assign sections of the EIS, based on the relevant experience base of each SME. Each “key input” will be evaluated to determine if it meets the definition of new information. Potential new information will be captured on the form contained in Attachment 2. The information will also be evaluated for significance by the SME using the same form. The process of identifying new and significant information may be done at the same time, or separately, at the discretion of the SME. In addition to identifying new and significant information, the SME will also document the bases for declaring that the information is new as well the rationale for determining whether the information is significant on the form. The basic elements of the process include:

1. Designation of SMEs and assignment of relevant EIS sections and other documentation for review by the EPM.
2. Review of each section of the EIS by the SME and selection of “key inputs”. A line-by-line review will be conducted of the EIS and key inputs will be identified by enclosing them in brackets. Each key input will be given a unique identification number beginning with the EIS Section number and following in sequential order. The key inputs will be organized by EIS section and documented on the form contained in Attachment 2.
3. Review Key Inputs to determine if any new information exists that could potentially affect the NRC staff’s findings or conclusions. Identify new information by checking the appropriate column on the form. New information is information that was both (1) not considered in preparing the ER or EIS and (2) not generally known or publicly available during preparation of the ER or EIS.
4. Review all information identified as new to determine if the information could be significant. For information to be significant, it must be material to the issue being considered and have the potential to affect the NRC staff’s findings or conclusions stated in the EIS.
5. Document the bases for the conclusion on new information and the rationale for determination of significance in the space provided on the form in Attachment 2.

6. The SMEs will also conduct a review of other information sources including interviews with industry peers, academia, and Federal, State, and local resource agencies. These reviews will be documented on the form contained in Attachment 3.
7. The EPM will convene a review team made up of SMEs and any other experts he designates to review the potential new and significant information documented on the forms in Attachments 2 and 3.
8. Upon completion of the review process for the ESP DEIS, the review team will provide the completed forms to the EPM, with conclusions and any changes or comments noted. The EPM will review any information determined to be new and significant and ensure the information is included in the comment provided to NRC. Between submitting the comments on the DEIS and submitting the COLA, the SMEs will again review the findings and conclusions of the DEIS to ensure that no additional new and significant information has become available. If such information is identified, it will be included in relevant section of the COL application ER. If no new and significant information is identified, the appropriate COLA ER section or subsection text will note that "Applicant is aware of no new and significant information that would warrant waiver of NRC's rules providing finality to issues resolved in the ESP proceeding."
9. All documentation will be retained, as well as copies of relevant forms, in a form suitable for audit by the NRC. The EPM will be responsible for coordinating this documentation and ensuring it is available for NRC review.

6.1.2 Additional Reviews

In addition to the process to review the EIS Key Inputs, the SME will also conduct reviews, as appropriate, of the following information sources to determine if potential new and significant information exists:

- Revisions to the Westinghouse Design Control Document (DCD)
- Westinghouse Technical Reports (TRs)
- Review of environmental monitoring results from existing programs
- Review of applicable scientific literature
- Discussions with peers at other nearby facilities
- Information from industry peer groups and organizations (EPRI, NEI, etc.)
- Contact with academicians familiar with the local environment
- Contact with Federal, State, Tribal, and local environmental, natural resource, permitting, and land use agencies

The SME will document any review of records and documents using the form contained in Attachment 3.

6.1.3 Personnel/Agency Interviews

For personnel interviews, the SME will also document the following on Attachment 4.

- Purpose of the interview
- Issue of interest
- Interviewee's job function
- Whether an issue has been a concern at VEGP Units 1 and 2
- Whether there is a need to reconsider the NRC findings in the ESP EIS, and if so, explain
- Whether there are any similar offsite activities that could contribute to cumulative environmental impacts

The SME should also consult Federal, State, and local regulatory or information agencies, as appropriate, to inform them of plans to submit a COL application, and to request identification of any new information that they may deem applicable, regarding issues of concern. These interviews should be documented on Attachment 4. Examples of agencies (or agencies with similar functional areas) that may be appropriate to contact are listed below:

- U.S. Fish and Wildlife Service (USFWS)
- Federal Aviation Administration (FAA)
- U.S. Environmental Protection Agency (USEPA)
- U.S. Geological Survey (USGS)
- U.S. Census Bureau US Army Corps of Engineers (USACE)
- National Marine Fisheries Service (NMFS)
- State Historic Preservation Office (SHPO)
- State Public Utilities Commission
- State Department of Transportation (DOT)
- State Environmental Protection Division
- County Planning Department
- State Department of Health
- State Department of Agriculture
- State Department of Natural Resources



Any new information identified through these contacts should be documented along with a significance assessment. The bases/rationale for the assessment will also be included on Attachment 2.

6.1.4 Documentation Review

The SME should also conduct a review of known plant documentation that relates to issues addressed in the ESP EIS, and that was not known or not generally available during the preparation of the ESP EIS, and that may identify environmental impacts, including the following types of documents:

- Environmental permits and permit applications
- Environmental documents and reports (including routine monitoring) prepared for the existing site
- Environmental documents and reports prepared by regulatory agencies and non-government institutions

Any additional information determined during the review of other information sources will be documented on the Review Form (Attachment 3). The SME will note all new information, perform a significance determination, and state the bases/rationale for the decision. This information will be included on the form in Attachment 3.

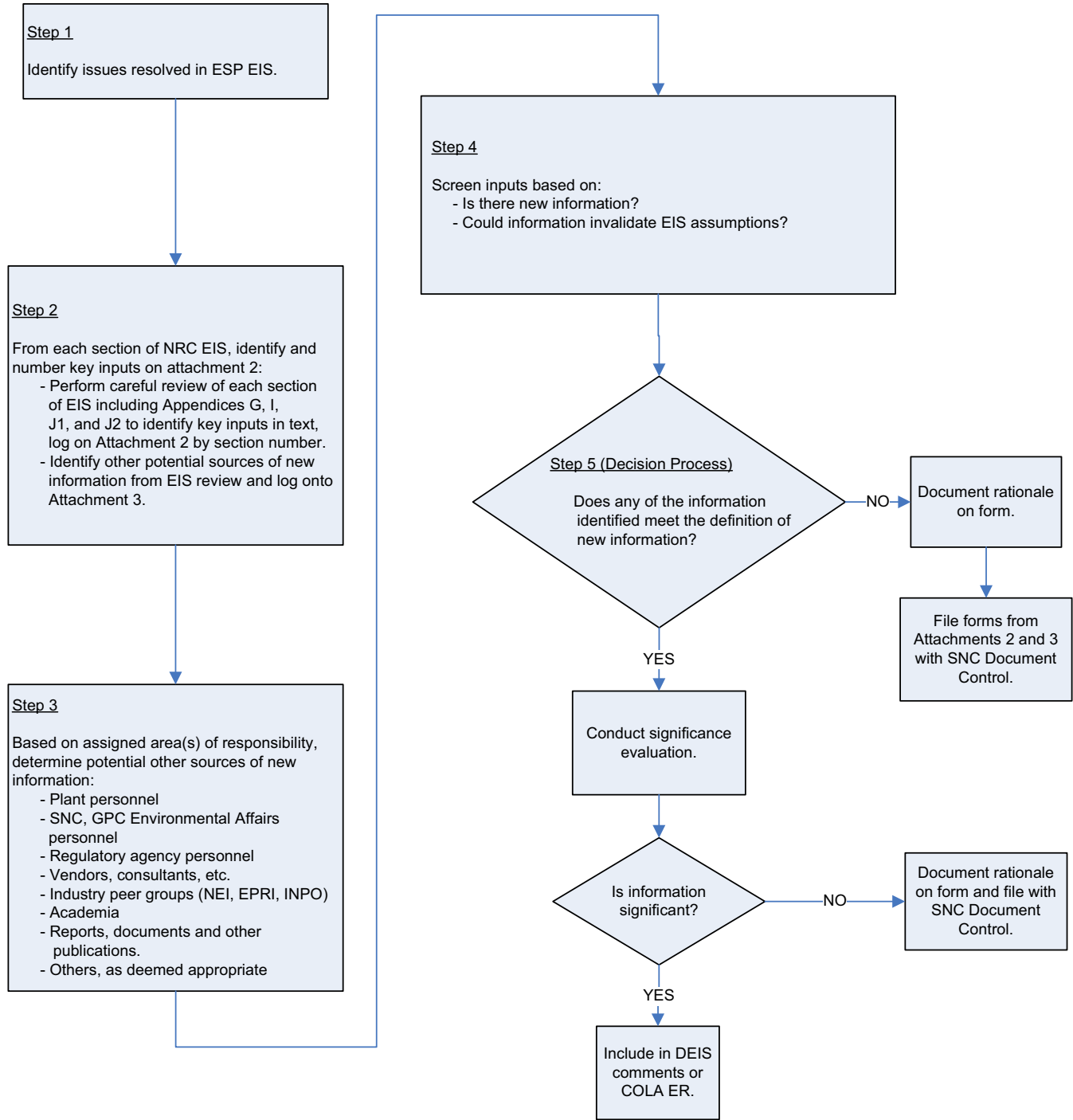
7.0 Records

This procedure is to be maintained as a QA record in accordance with company procedures and the Nuclear Development Quality Assurance Manual. Attachments generated as the result of this procedure will be maintained as a QA record.

8.0 Commitments

NONE

ATTACHMENT 1 - DECISION PROCESS



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ATTACHMENT 2 - VEGP EIS KEY INPUTS OR ASSUMPTIONS
Section X.Y Title

EIS Section	Input Number	Key Input or Assumption	New Information (Yes/No)	Significant (Yes/No)	Rationale

ATTACHMENT 3 - VEGP DOCUMENT REVIEWS
Section X.Y Title

Document	Page Number	New Information (Yes/No)	Significant Information (Yes/No)	Rationale

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ATTACHMENT 4 - VEGP COL APPLICATION INTERVIEW FORM

Purpose of interview: (1) To identify information that was not considered and not publicly known or available when the ESP EIS for VEGP Unit 3 & 4 was prepared. (2) To determine if this new information is significant because it has the potential to change the finding or conclusions in the EIS (e.g., change a conclusion from SMALL to MODERATE)

NRC Definition of Significance: (from 10 CFR 51, Appendix B, Table B-1, Footnote 3)

SMALL - Environmental effects are not detectable or are so minor that they will neither destabilize nor noticeably alter any important attribute of the resource. For the purposes of assessing radiological impacts, the Commission has concluded that those impacts that do not exceed permissible levels in the Commission's regulations are considered small.

MODERATE - Environmental effects are sufficient to alter noticeably, but not to destabilize, any important attribute of the resource.

LARGE - Environmental effects are clearly noticeable and are sufficient to destabilize important attributes of the resource.

Issue of Interest:

Statement from ESP EIS:

Has this been an issue at VEGP Units 1 & 2? Yes No

Are you aware of any information on this topic that was not available and not considered during the preparation of the EIS? Yes No

If yes, please explain and provide reference or citation:

Do you believe that this new information would change the conclusion in the FEIS? Yes No

Please explain your reason:

Are you aware of any offsite activities that could contribute to cumulative impacts affecting this resource? Yes No



ATTACHMENT 4 - VEGP COL APPLICATION INTERVIEW FORM (Continued)

Interviewee Identification:

Name: Telephone:
Organization: Email:
Responsibilities:

Reviewer Identification:

Name: Telephone:
Organization: Email: