

The ITAAC for VEGP Unit 3 are in Appendix C of the VEGP Unit 3 combined license (ADAMS Accession No. ML14100A106). The ITAAC for VEGP Unit 4 are in Appendix C of VEGP Unit 4 combined license (ADAMS Accession No. ML14100A135).

## II. NRC Staff Determination of Completion of ITAAC

The NRC staff has determined that the specified inspections, tests, and analyses have been successfully completed, and that the specified acceptance criteria are met. The documentation of the NRC staff's determination is in the ITAAC Closure Verification Evaluation Form (VEF) for each ITAAC. The VEF is a form that represents the NRC staff's structured process for reviewing ICNs. Each ICN presents a narrative description of how the ITAAC was completed. The NRC's ICN review process involves a determination on whether, among other things: (1) Each ICN provides sufficient information, including a summary of the methodology used to perform the ITAAC, to demonstrate that the inspections, tests, and analyses have been successfully completed; (2) each ICN provides sufficient information to demonstrate that the acceptance criteria of the ITAAC are met; and (3) any NRC inspections for the ITAAC have been completed and any ITAAC findings associated with that ITAAC have been closed.

The NRC staff's determination of the successful completion of these ITAAC is based on information available at this time and is subject to the licensee's ability to maintain the condition that the acceptance criteria are met. If the staff receives new information that suggests the staff's determination on any of these ITAAC is incorrect, then the staff will determine whether to reopen that ITAAC (including withdrawing the staff's determination on that ITAAC). The NRC staff's determination will be used to support a subsequent finding, pursuant to 10 CFR 52.103(g), at the end of construction that all acceptance criteria in the combined license are met. The ITAAC closure process is not finalized for these ITAAC until the NRC makes an affirmative finding under 10 CFR 52.103(g). Any future updates to the status of these ITAAC will be reflected on the NRC's Web site at <http://www.nrc.gov/reactors/new-reactors/oversight/itaac.html>.

This notice fulfills the staff's obligations under 10 CFR 52.99(e)(1) to publish a notice in the **Federal Register** of the NRC staff's determination of the successful completion of inspections, tests and analyses.

### *Vogtle Electric Generating Plant Unit 3, Docket No. 5200025*

A complete list of the review status for VEGP Unit 3 ITAAC, including the submission date and ADAMS Accession Number for each ICN received, the ADAMS Accession Number for each VEF, and the ADAMS Accession Numbers for the inspection reports associated with these specific ITAAC, can be found on the NRC's Web site at <http://www.nrc.gov/reactors/new-reactors/new-licensing-files/vog3-icnsr.pdf>

### *Vogtle Electric Generating Plant Unit 4, Docket No. 5200026*

A complete list of the review status for VEGP Unit 4 ITAAC, including the submission date and ADAMS Accession Number for each ICN received, the ADAMS Accession Number for each VEF, and the ADAMS Accession Numbers for the inspection reports associated with these specific ITAAC, can be found on the NRC's Web site at <http://www.nrc.gov/reactors/new-reactors/new-licensing-files/vog4-icnsr.pdf>.

Dated at Rockville, Maryland, this 17th day of April 2017.

For the Nuclear Regulatory Commission,  
**Jennifer Dixon-Herrity**,  
Chief, Licensing Branch 4, Division of New  
Reactor Licensing, Office of New Reactors.

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## NUCLEAR REGULATORY COMMISSION

**[Docket Nos. 50-275 and 50-323; NRC-2016-0080]**

### Pacific Gas and Electric Company

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Director's decision under 10 CFR 2.206; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has issued a director's decision with regard to a Petition to Intervene and Request for Hearing concerning Diablo Canyon Power Plant (DCPP) dated August 26, 2014, filed by Friends of the Earth (FOE or petitioner), asserting, in part, its concerns about DCPP's operational safety and ability to safely shut down in the event of a nearby earthquake. The petitioner's requests and the director's decision are included in the **SUPPLEMENTARY INFORMATION** section of this document.

**ADDRESSES:** Please refer to Docket ID NRC-2016-0080 when contacting the

NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2016-0080. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then 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](mailto:pdr.resource@nrc.gov). For the convenience of the reader, the ADAMS accession numbers are provided in a table in the "Availability of Documents" section of this document.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

**FOR FURTHER INFORMATION CONTACT:** Margaret Watford, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-1233, email: [Margaret.Watford@nrc.gov](mailto:Margaret.Watford@nrc.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has issued a director's decision on a Petition to Intervene and Request for Hearing, filed by the FOE on August 26, 2014, which the Commission referred to the NRC's EDO for consideration under the regulations of section 2.206 of title 10 of the *Code of Federal Regulations* (10 CFR) in Commission Memorandum and Order (CLI-15-14) dated May 21, 2015. The EDO then referred these concerns to the NRC's Office of Nuclear Reactor Regulation for consideration under 10 CFR 2.206. The petition was supplemented by letters dated September 30, 2015, and February 8, 2016.

The petitioner requested that the NRC take enforcement actions to ensure that DCPP can operate safely and demonstrate its ability to safely shut down in the event of an earthquake

caused by nearby faults. As the basis of the request, the petitioner states that the "NRC staff's determination that the new seismic information, including the Shoreline earthquake and its effect on the San Luis Bay and Los Osos faults, is a lesser-included case within the Hosgri earthquake is insufficient to insure that Diablo Canyon is operating safely with an adequate margin of safety."

On two occasions, the NRC offered FOE opportunities to address the Petition Review Board (PRB), which was established to review FOE's enforcement concerns. In response, on September 30, 2015, and February 8, 2016, FOE provided written submissions to the PRB in lieu of addressing the PRB in person or by

telephone. The NRC staff considered these submittals during its evaluation.

The NRC sent a copy of the proposed director's decision to the petitioner and the Pacific Gas and Electric Company (the licensee) for comment on February 28, 2017. The petitioner and the licensee were asked to provide comments by March 16, 2017, on any part of the proposed director's decision that was considered to be erroneous or any issues in the petition that were not addressed. The NRC staff did not receive any comments on the proposed director's decision.

The Director of the Office of Nuclear Reactor Regulation has determined that the request to take enforcement actions to ensure that DCPP can operate safely and demonstrate its ability to safely shut down in the event of an earthquake

caused by nearby faults be denied. The reasons for this decision are explained in the director's decision DD-17-02 pursuant to section 2.206 of 10 CFR of the Commission's regulations.

The NRC will file a copy of the director's decision with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206. As provided by this regulation, the director's decision will constitute the final action of the Commission 25 days after the date of the decision unless the Commission, on its own motion, institutes a review of the director's decision in that time.

#### Availability of Documents

The documents identified in the following table are available for public inspection through the NRC's ADAMS.

| Title                                                                                                                                                                                                                                              | Date      | ADAMS Accession No. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------------------|
| SRM-M150521A-2—Final Director's Decision Re: Friends of the Earth 2.206 Petition Based on Commission Memorandum and Order CLI-15-14 (CAC Nos. MF6443 and MF6444).                                                                                  | 4/21/2017 | ML17090A182         |
| Petition to Intervene and Request for Hearing By Friends of the Earth                                                                                                                                                                              | 8/26/2014 | ML14254A231         |
| Commission Memorandum and Order CLI-15-14                                                                                                                                                                                                          | 5/21/2015 | ML15141A084         |
| SRM-M150521A-2/CLI-15-14—E-mail and Letter to 2.206 Panel, Request Pursuant to 10 CFR 2.206 for Suspension of Operations and Enforcement of Nuclear Regulatory Commission Regulations to Ensure Seismic Safety of Diablo Canyon Power Plant.       | 9/30/2015 | ML15274A054         |
| Friends of the Earth, E-mail, Supplemental Information Regarding Request Pursuant to 10 CFR 2.206 for Suspension of Operations and Enforcement of Nuclear Regulatory Commission Regulations to Ensure Seismic Safety of Diablo Canyon Power Plant. | 2/8/2016  | ML16040A221         |
| SRM-M150521A-2, Petitioner Letter Re: Friends of the Earth 2.206 Petition Based on Commission Memorandum and Order CLI-15-14 (CAC Nos. MF6443 and MF6444).                                                                                         | 2/28/2017 | ML17011A205         |
| SRM-M150521A-2—Licensee Letter Re: Friends of the Earth 2.206 Petition Based on Commission Memorandum and Order CLI-15-14 (CAC Nos. MF6443 and MF6444).                                                                                            | 2/28/2017 | ML17011A206         |

Dated at Rockville, Maryland, this 21st day of April 2017.

For the Nuclear Regulatory Commission.

**William M. Dean,**

*Director, Office of Nuclear Reactor Regulation.*

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**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards (ACRS); Meeting of the ACRS Subcommittee on NuScale; Notice of Meeting

The ACRS Subcommittee on NuScale will hold a meeting on May 3, 2017, at 11545 Rockville Pike, Room T-2B3, Rockville, Maryland 20852.

The meeting will be open to public attendance with the exception of portions that may be closed to protect information that is proprietary pursuant to 5 U.S.C. 552b(c)(4). The agenda for the subject meeting shall be as follows:

**Wednesday, May 3, 2017—2:00 p.m. Until 5:00 p.m.**

The Subcommittee will hear a briefing on the NRC staff's NuScale Safety Focused Review approach. The Subcommittee will hear presentations by and hold discussions with the NRC staff and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Michael Snodderly (Telephone 301-415-2241 or Email: [Michael.Snodderly@nrc.gov](mailto:Michael.Snodderly@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this

timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 17, 2016, (81 FR 71543).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/acrs>. Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in a major inconvenience.