

May 15, 2002

Mr. Stephen A. Byrne
Vice President, Nuclear Operations
South Carolina Electric & Gas Company
Virgil C. Summer Nuclear Station
Post Office Box 88
Jenkinsville, South Carolina 29065

SUBJECT: VIRGIL C. SUMMER NUCLEAR STATION - REPLY TO RESPONSE TO ORDER
FOR INTERIM SAFEGUARDS AND SECURITY COMPENSATORY MEASURES
(TAC NOS. MB4184)

Dear Mr. Byrne:

On February 25, 2002, the U.S. Nuclear Regulatory Commission (NRC) issued an Order modifying the operating license for the Virgil C. Summer Nuclear Station to require compliance with the specified interim safeguards and security compensatory measures. The interim compensatory measures (ICMs) were listed in Attachment 2 to the Order. When issuing the Order, the Commission recognized that you have voluntarily and responsibly implemented additional security measures following the events of September 11, 2001, but in light of the continuing generalized high-level threat environment, the Commission concluded that the security measures should be embodied in an Order consistent with the established regulatory framework.

The Order required responses and actions within specified timeframes. Section III.A of the Order required licensees to immediately start implementation of the requirements listed in Attachment 2 to the Order and to complete implementation no later than August 31, 2002. Section III.B of the Order required licensees to notify the Commission: (1) if they are unable to comply with the requirements described in Attachment 2, (2) if compliance with any of the requirements is unnecessary in their specific circumstances, (3) if implementation of any of the requirements would cause the licensee to be in violation of the provisions of any Commission regulation or the facility license, or (4) if implementation of any of the requirements described in Attachment 2 would adversely impact the safe operation of the facility. Section III.C.1 of the Order required licensees to submit to the Commission, within 20 days of the date of the Order, a schedule for achieving compliance with each requirement described in Attachment 2 to the Order. Section IV of the Order noted that in accordance with 10 C.F.R. § 2.202, the licensee must submit an answer to the Order and may request a hearing on the Order within 20 days of the date of the Order and, where good cause is shown, consideration would be given to extend the time to request a hearing.

In two letters dated March 15, 2002, you submitted responses to the Order for the Virgil C. Summer Nuclear Station. You requested an extension of time until June 30, 2002, to respond to ICMs B.2.a(1) and B.2.a(2), and you requested a comparable extension of time to file a request for hearing for these matters.

S. Byrne

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The NRC staff has reviewed your responses to each of the ICMs and finds that you have satisfied the 20-day reporting requirements of the Order with the exception of ICMs B.2.a(1) and B.2.a(2). An extension of time is hereby granted until June 30, 2002, for your submission of the required response for ICMs B.2.a(1) and B.2.a(2). An extension of time is hereby granted until June 30, 2002, for your filing of a request for hearing related to ICMs B.2.a(1) and B.2.a(2).

The NRC will determine the effectiveness of your implementation of the ICMs through on-site inspections. I would like to remind you that, pursuant to Section III.C.2 of the Order, you are to report to the Commission when you have achieved full compliance with the requirements described in Attachment 2 to the Order.

Please contact Karen R. Cotton at (301) 415-1438 if you have any other questions on these issues.

Sincerely,

/RA/

John A. Zwolinski, Director
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-395

cc: See next page

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The NRC will determine the effectiveness of your implementation of the ICMs through on-site inspections. I would like to remind you that, pursuant to Section III.C.2 of the Order, you are to report to the Commission when you have achieved full compliance with the requirements described in Attachment 2 to the Order.

Please contact Karen R. Cotton at (301) 415-1438 if you have any other questions on these issues.

Sincerely,

/RA/

John A. Zwolinski, Director
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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Mr. Stephen A. Byrne
South Carolina Electric & Gas Company

VIRGIL C. SUMMER NUCLEAR STATION

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