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April 27, 2004

Docket Nos: 50-321 50-348 50-424
50-366 50-364 50-425

NL-04-0581

Annette L. Vietti-Cook
Secretary of the Commission
U. S. Nuclear Regulatory Commission
ATTN: Rulemakings and Adjudications Staff
Washington, D. C. 20555-0001

Edwin I. Hatch Nuclear Plant
Joseph M. Farley Nuclear Plant
Vogtle Electric Generating Plant
Supplemental Response to the April 29, 2003 Order

Dear Ms. Vietti-Cook:

The NRC issued an Order dated April 29, 2003, Requiring Compliance with Revised Design Basis Threat ("Order EA-03-086" or "Order") and other security related Orders (collectively "Orders") for the Edwin I. Hatch Nuclear Plant (HNP), the Joseph M. Farley Nuclear Plant (FNP) and the Vogtle Electric Generating Plant (VEGP) all operated by Southern Nuclear Operating Company (SNC). This Supplemental Response by SNC to Order EA-03-086 supplements the previous response dated June 2, 2003 that SNC filed pursuant to 10 CFR 50.4 and Section III, Conditions A.1, B.1 and B.2.

Order EA-03-086 imposes license conditions on nuclear power plants licensed pursuant to the Atomic Energy Act of 1954 and Title 10 of the Code of Federal Regulations. Section III.A of the Order requires licensees to revise their physical security plans and safeguards contingency plans to provide protection against the revised design basis threat (DBT) set forth in Attachment 2 to the Order. Section III.A also requires licensees to revise the security force training and qualification plan to implement the revised DBT. These revised plans, along with an implementation schedule, were required to be submitted to the Commission for review and approval no later than April 29, 2004.

In accordance with the Order and 10 CFR 50.4, SNC is submitting this Supplemental Response for the above-mentioned licensed facilities. This submittal includes, as Enclosure 1, a combined revision to the HNP, FNP and VEGP Physical Security Plans, the Contingency Plans, and the Training and Qualification Plans (hereafter referred to as the SNC Security Plan) as required by Order EA-03-086. The SNC Security Plan contains the integrated commitments to comply with Order EA-03-086 and the other security related Orders issued on February 25, 2002, January 7, 2003, and April 29, 2003. As a result, the SNC Security Plan supersedes previous submittals of SNC in these areas, including those related to the February 25, 2002, January 7, 2003, and April 29, 2003 Orders.

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SNC will continue to implement the provisions of those previous submittals except to the extent that they are superseded by this plan. All changes that have been or will be made have been evaluated to ensure that they do not compromise plant safety.

The revised plan is consistent with NEI-03-01 (Revision 1), *Nuclear Power Plant Access Authorization Program* (April 2004); NEI-03-09 (Revision 2 (draft)), *Security Officer Training Program* (April 2004); and NEI-03-12 (Revision 2 (draft)), *Template for the Security Plan, Training and Qualification Plan, Safeguards Contingency Plan*, (April 2004). The schedule for completing those actions, which includes the identification of major transitional activities, is provided in Enclosure 2 to this submittal. To facilitate the NRC's review, any provisions that are different from NEI-03-01, NEI-03-09 or NEI-03-12 are identified and the justification provided in Enclosure 3 to this submittal. Enclosure 4 includes the justification for any of the alternatives provided in NEI-03-12 or in "NRC Guidance on Implementation of the April 2003 Revised Design Basis Threat" that SNC has adopted. Further, Enclosure 5 includes SNC's evaluation of search criteria. As requested in the NRC letter to NEI dated April 2, 2004, Enclosure 6 includes SNC's explanation of mitigative measures to address attacks on the intake structure at HNP.

When the final revision of NEI-03-12 is approved by the NRC, SNC will supplement this response, if necessary, to conform with NEI-03-12 as finally approved. However, with the filing of this plan, SNC will be implementing its revised protection strategy and completing plant modifications and security personnel training pursuant to this plan to ensure that implementation will be completed by October 29, 2004, as required by the Orders for each of the SNC sites. Upon completion of the implementation of this plan, SNC will be in compliance with all applicable security requirements. For the purpose of complying with the requirements of 10 CFR 73 to conduct an annual audit, the date of the letter that will be submitted to the NRC pursuant to Order EA-03-086 certifying that implementation of the plan is complete will be the effective date for determining commencement of the annual audit requirement period.

Because of the requirement for this plan to be fully implemented by October 29, 2004; the need to integrate the requirement of the revised DBT Order with the Orders issued February 25, 2002, January 7, 2003, and April 29, 2003; and the Commission's determination that it would be appropriate to exercise enforcement discretion to accommodate any transitional issues which may arise as licensees, in good faith, take reasonable actions to implement the specific requirements of the Orders (RE: NRC letter to NEI dated April 4, 2004); SNC requests that enforcement discretion be exercised during the transition period until full implementation of the plan is accomplished and the physical plant modifications and security force training are complete. At that time, the revised plan will be fully implemented and the exercising of enforcement discretion will no longer be necessary.

In accordance with 10 CFR 2.202(b), the following affirmation is provided:

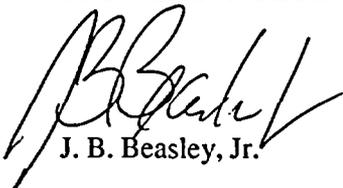
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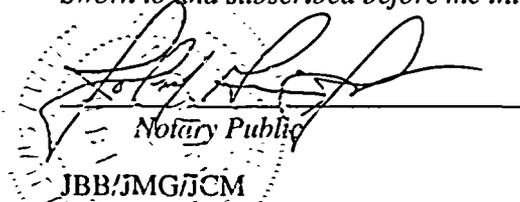
Mr. J. B. Beasley, Jr. states he is Executive Vice President of Southern Nuclear Operating Company, is authorized to execute this oath on behalf of Southern Nuclear Operating Company and to the best of his knowledge and belief, the facts set forth in this letter are true.

Respectfully submitted,

SOUTHERN NUCLEAR OPERATING COMPANY


J. B. Beasley, Jr.

Sworn to and subscribed before me this 27th day of APRIL, 2004.


Notary Public
JBB/JMG/JCM

My commission expires: _____
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Nov 30, 2006
BONDED THRU NOTARY PUBLIC UNDERWRITERS

- Enclosure 1: SNC Security Plan (SGI)
- Enclosure 2: SNC Major Milestone Implementation Schedule
- Enclosure 3: SNC's Justification for Deviation from NEI Documents (SGI)
- Enclosure 4: SNC's Justification for Alternatives (SGI)
- Enclosure 5: SNC's Evaluation of Search Criteria
- Enclosure 6: SNC's Explanation of Mitigative Measures
to Address Attacks on the Intake Structure at HNP (SGI)

cc: Southern Nuclear Operating Company

Mr. L. M. Stinson., Vice President – Plant Farley (w/o Enclosures)
Mr. H. L. Sumner, Jr., Vice President – Plant Hatch (w/o Enclosures)
Mr. J. T. Gasser, Vice President – Plant Vogtle (w/o Enclosures)
Mr. D. E. Grissette, General Manager, – Plant Farley (w/o Enclosures)
Mr. G. R. Frederick, General Manager – Plant Hatch (w/o Enclosures)
Mr. W. F. Kitchens, General Manager – Plant Vogtle (w/o Enclosures)
RType: CFA04.054; CHA02.004; CVC7000; LC# 13760 (w/o Enclosures)

U. S. Nuclear Regulatory Commission

Mr. J. E. Dyer, Director, Office of NRR (w/o Enclosures)
Mr. L. A. Reyes, Regional Administrator (w/o Enclosures)
Mr. S. E. Peters, NRR Project Manger – Farley (w/o Enclosures)
Mr. C. Gratton, NRR Project Manager – Hatch (w/o Enclosures)
Mr. C. Gratton, NRR Project Manager – Vogtle (w/o Enclosures)
Mr. C. A. Patterson, Senior Resident Inspector – Farley (w/o Enclosures)
Mr. D. S. Simpkins, Senior Resident Inspector – Hatch (w/o Enclosures)
Mr. J. Zeiler, Senior Resident Inspector – Vogtle (w/o Enclosures)
Assistant General Counsel for Materials Litigation and Enforcement (w/o Enclosures)
Document Control Desk (Letter and non-SGI Enclosures by paper copy; also, one CD which includes cover letter and all Enclosures – NRC to make necessary internal distribution.)

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Enclosure 2
 SNC's Major Milestone Implementation Schedule

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	<u>Hatch</u>	<u>Farley</u>	<u>Vogle</u>
<u>DBT Order:</u>			
VBS Modifications Complete	October 15, 2004	October 15, 2004	October 28, 2004
Defensive Position Modifications Complete	October 15, 2004	October 15, 2004	October 15, 2004
Delay Barriers Installed	October 15, 2004	October 15, 2004	October 10, 2004
IMP Implemented	June 1, 2004	June 1, 2004	June 1, 2004
Protective Strategy Tested & Validated	September 30, 2004	September 30, 2004	September 30, 2004
<u>Training Order:</u>			
Range Upgrades Complete	December 31, 2003	March 15, 2004	December 31, 2003
Officer Training and Qualification Complete	August 31, 2004	August 31, 2004	August 31, 2004
Three Year Training Program In Place	October 7, 2004	October 7, 2004	October 7, 2004

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Enclosure 5
SNC's Evaluation of Search Criteria

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SNC has not completed the analysis required to determine the nature of the vulnerability at each of our sites to a vehicle bomb located at any point on the 1994 vehicle barrier. The engineering resources needed to perform these analyses have been dedicated to issuing the design packages necessary to install plant modifications to meet the October 29, 2004 due date for compliance with the DBT Order. In the absence of the results of the analysis, an assessment of the methods that could be utilized to protect against the vehicle bomb cannot be performed. Therefore, the plan submitted contains no defined search criteria. Once the analysis is completed, the required assessment will be performed and a supplemental response will be submitted to explain the assessment and any search criteria that will be necessary.

SNC is working on completing the analysis and will submit a supplemental response by June 1, 2004 to address the results of the analysis, the assessment of the results and its impact on each of the SNC plants, and the justification for the search criteria that SNC will apply at each plant. The SNC Security Plan will be modified at that time to include the appropriate search criteria.