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SOUTHERN COMPANY
Energy to Serve Your World™

September 20, 2004

Docket Nos.: 50-348 50-424
50-364 50-425

NL-04-1835

Mr. James E. Dyer
Director, Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Joseph M. Farley Nuclear Plant
Vogtle Electric Generating Plant
Supplemental Response to the April 29, 2003 Orders - Clarification

Dear Mr. Dyer:

This letter serves as clarification as well as supercedes our letter NL-04-1745 dated September 13, 2004 concerning Joseph M. Farley Nuclear Plant and Vogtle Electric Generating Plant Supplemental Response to the April 29, 2003 Orders.

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 Joseph M. Farley Nuclear Plant (FNP) and the Vogtle Electric Generating Plant (VEGP).

Order EA-03-086 imposed 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 required 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 required licensees to revise their 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, Southern Nuclear Operating Company (SNC) submitted a Supplemental Response for the above-mentioned licensed facility on April 27, 2004. Our activities to implement the new SNC Security Plan at all of our facilities were scheduled to be completed by October 29, 2004 to support the requirements of the Order. Due to extenuating circumstances that are described in the attachments, SNC has now determined that it cannot complete the implementation of all of the details in the SNC Security Plan by October 29, 2004; however, other actions will be in place to ensure that the Order requirements are met by October 29, 2004, while we continue to complete all the activities as submitted in the new plan.

* NSIR05

Enclosure 1 includes a detailed explanation of the portions of the SNC Security Plan that FNP will not have completed on October 29, 2004. Enclosure 2 includes a detailed explanation of the portions of the SNC Security Plan that VEGP will not have completed on October 29, 2004. Due to the nature of the issues at VEGP, Enclosure 2 also includes the manner in which SNC had intended to meet that requirement; the reasons why SNC cannot complete implementation by that date; as well as the steps that will be taken to meet the requirements of the Order until implementation is completed.

Because the Commission concluded 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, SNC requests that enforcement discretion be exercised during the period from this request until the steps necessary to allow full implementation of the SNC Security Plan at FNP and VEGP, as submitted, are completed. At that time, the SNC Security Plan will be fully implemented and the exercise of enforcement discretion will no longer be necessary.

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

Mr. Jeffrey T. Gasser 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

Jeffrey T. Gasser

Sworn to and subscribed before me this 20th *day of* September, *2004.*

Notary Public

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

My commission expires:

Enclosures: ***(Safeguards Information)***

1) FNP – Actions Taken to Comply with Order EA-03-086 ***(SGI)***
2) VEGP – Actions Taken to Comply with Order EA-03-086 ***(SGI)***

JTG/JMG

cc: Southern Nuclear Operating Company

Mr. L. M. Stinson, Vice President – Plant Farley	(w/o Enclosures)
Mr. D. E. Grissette, General Manager – Plant Farley	(w/o Enclosures)
Mr. W. F. Kitchens, General Manager – Plant Vogtle	(w/o Enclosures)
RType: CFA04.054; CVC7000; LC# 14140	(w/o Enclosures)

U. S. Nuclear Regulatory Commission

Dr. W. D. Travers, Regional Administrator	(w/o Enclosures)
Mr. S. E. Peters, NRR Project Manager – Farley	(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. G. J. McCoy, Senior Resident Inspector – Vogtle	(w/o Enclosures)

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