

**Don E. Grissette**  
Vice President

**Southern Nuclear  
Operating Company, Inc.**  
40 Inverness Center Parkway  
Post Office Box 1295  
Birmingham, Alabama 35201  
  
Tel 205.992.6474  
Fax 205.992.0341



*Energy to Serve Your World™*

December 6, 2006

Docket Nos.: 50-424  
50-425

NL-06-2713

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D. C. 20555-0001

Vogtle Electric Generating Plant  
Licensee Event Report 1-2006-003  
Contract Employee Failure to Self-Disclose  
Material Information for Unescorted Access

Ladies and Gentlemen:

In accordance with the requirements of 10 CFR 50.73, Southern Nuclear Operating Company hereby submits a Vogtle Electric Generating Plant licensee event report for a condition that was determined to be reportable on October 11, 2006.

This letter contains no NRC commitments. If you have any questions, please advise.

Sincerely,

A handwritten signature in black ink, appearing to read "Don E. Grissette".

Don E. Grissette

DEG/LPH/daj

Enclosure: LER 1-2006-003

cc: Southern Nuclear Operating Company  
Mr. J. T. Gasser, Executive Vice President  
Mr. T. E. Tynan, General Manager – Plant Vogtle  
RType: CVC7000

U. S. Nuclear Regulatory Commission  
Dr. W. D. Travers, Regional Administrator  
Mr. R. E. Martin, NRR Project Manager – Vogtle  
Mr. G. J. McCoy, Senior Resident Inspector – Vogtle

**Enclosure**

**Vogtle Electric Generating Plant  
Licensee Event Report 1-2006-003  
Contract Employee Failure to Self-Disclose  
Material Information for Unescorted Access**

**LICENSEE EVENT REPORT (LER)**

(See reverse for required number of digits/characters for each block)

Estimated burden per response to comply with this mandatory collection request: 50 hours. Reported lessons learned are incorporated into the licensing process and fed back to industry. Send comments regarding burden estimate to the Records and FOIA/Privacy Service Branch (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0104), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

1. FACILITY NAME Vogtle Electric Generating Plant – Unit 1	2. DOCKET NUMBER 05000-424	3. PAGE 1 OF 3
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4. TITLE  
Contract Employee Failure to Self-Disclose Material Information for Unescorted Access

5. EVENT DATE			6. LER NUMBER			7. REPORT DATE			8. OTHER FACILITIES INVOLVED	
MONTH	DAY	YEAR	YEAR	SEQUENTIAL NUMBER	REVISION NUMBER	MONTH	DAY	YEAR	FACILITY NAME	DOCKET NUMBER(S)
10	11	2006	2006	003	00	12	06	2006	Vogtle – Unit 2	05000-425
									FACILITY NAME	DOCKET NUMBER(S)
										05000

9. OPERATING MODE	11. THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR § : (Check all that apply)			
	20.2201(b)	20.2203(a)(3)(i)	50.73(a)(2)(i)(C)	50.73(a)(2)(vii)
Defueled	20.2201(d)	20.2203(a)(3)(ii)	50.73(a)(2)(ii)(A)	50.73(a)(2)(viii)(A)
	20.2203(a)(1)	20.2203(a)(4)	50.73(a)(2)(ii)(B)	50.73(a)(2)(viii)(B)
	20.2203(a)(2)(i)	50.36(c)(1)(i)(A)	50.73(a)(2)(iii)	50.73(a)(2)(ix)(A)
	20.2203(a)(2)(ii)	50.36(c)(1)(ii)(A)	50.73(a)(2)(iv)(A)	50.73(a)(2)(x)
	20.2203(a)(2)(iii)	50.36(c)(2)	50.73(a)(2)(v)(A)	73.71(a)(4)
	20.2203(a)(2)(iv)	50.46(a)(3)(ii)	50.73(a)(2)(v)(B)	73.71(a)(5)
10. POWER LEVEL	20.2203(a)(2)(v)	50.73(a)(2)(i)(A)	50.73(a)(2)(v)(C)	<input checked="" type="checkbox"/> OTHER
000	20.2203(a)(2)(vi)	50.73(a)(2)(i)(B)	50.73(a)(2)(v)(D)	Specify in Abstract below or in NRC Form 366A

12. LICENSEE CONTACT FOR THIS LER

NAME Tim Mattson, Performance Analysis	TELEPHONE NUMBER (Include Area Code) (706) 826-3216
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13. COMPLETE ONE LINE FOR EACH COMPONENT FAILURE DESCRIBED IN THIS REPORT

CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO EPIX	CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO EPIX

14. SUPPLEMENTAL REPORT EXPECTED				15. EXPECTED SUBMISSION DATE			
YES (If yes, complete 15. EXPECTED SUBMISSION DATE)	<input checked="" type="checkbox"/>	NO			MONTH	DAY	YEAR

16. ABSTRACT (Limit to 1400 spaces, i.e., approximately 15 single-spaced typewritten lines)

On October 11, 2006 at approximately 1525 hours (EDST), Southern Nuclear Operating Company (SNC) determined that a contract employee failed to self-disclose material information in applying for unescorted access. The contract employee had been charged with aggravated assault on June 26, 2005, but failed to self-disclose this information prior to being granted unescorted access to Vogtle Electric Generating Plant (VEGP) in September 2005. The subject contract employee had been badged at another nuclear plant less than 365 days before arriving at VEGP and was not due for a background reinvestigation, which would have included a criminal history check. Based on the requisite Reinstatement review and issuance of a Certificate of Reliability, the contract employee was granted unescorted access at VEGP from September 16, 2005 to October 13, 2005.

A detailed investigation by SNC Nuclear Fleet Security was performed on October 11, 2006, and determined that the contract employee failed to disclose the assault charge. Had this information been disclosed during the background screening process, unescorted access would not have been granted. The subject individual has been denied unescorted access at all SNC nuclear plants and has been identified in the shared, industry-sponsored Personnel Access Data System (PADS).

**LICENSEE EVENT REPORT (LER)**

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Vogtle Electric Generating Plant - Unit 1	05000-424	2006	-- 004	-- 00	2 OF 3

**17. NARRATIVE** (If more space is required, use additional copies of NRC Form 366A)

**A. REQUIREMENT FOR REPORT**

The report is submitted pursuant to 10 CFR 73.71 Section (b)(1) and Appendix G(I)(b).

**B. UNIT STATUS AT TIME OF EVENT**

At the time of this event, Unit 1 was defueled and Unit 2 was in Mode 1 at 100% rated thermal power.

**C. DESCRIPTION OF EVENT**

Personnel access authorization activities for Vogtle Electric Generating Plant (VEGP) are performed by Southern Nuclear Operating Company (SNC) Nuclear Fleet Security located in Birmingham, Alabama. As part of the background investigation, a Personnel History Questionnaire (PHQ) must be completed by an individual applying for unescorted access authorization (UAA). The PHQ requires the individual to list any criminal charges pending. All individuals granted UAA are also made aware of their continuing reporting responsibility through the "Plant Access Training" program.

A contract employee, charged with aggravated assault on June 26, 2005, failed to self-disclose this information prior to being granted unescorted access (UA) to VEGP in September 2005. The subject contract employee completed a PHQ and signed a SNC background investigation consent form on August 31, 2005. Since the subject contract employee had been badged at another nuclear plant less than 365 days before arriving at VEGP, he was not due for a background reinvestigation, which would have included a criminal history check. Rather, the approved, UAA self-screening contractor performed the background screening for reinstatement, and issued SNC a Certificate of Reliability on September 8, 2005, certifying that this individual met the UAA Reinstatement requirements. Upon review by SNC Nuclear Fleet Security, the individual was granted UAA on September 8, 2005, and VEGP site Security granted UA on September 16, 2005 to October 13, 2005.

On October 11, 2006, Turkey Point security personnel discovered that the subject contract employee had not self-disclosed material information regarding his assault charge prior to having UA to three nuclear facilities, two of which were SNC's VEGP and Hatch Nuclear Plant. In turn, SNC Nuclear Fleet Security conducted a detailed investigation on October 11, 2006, and determined that the subject contract employee failed, at both SNC nuclear facilities, to disclose the charge. Had this information been disclosed during the background screening process, UA to SNC's sites would not have been granted.

At approximately 1525 hours (EDST), on October 11, 2006, SNC Nuclear Fleet Security contacted VEGP site Security regarding the failure of the subject contract employee to self-disclose the material information. A one-hour telephone notification to the NRC was made on October 11, 2006, at approximately 1605 hours (EDST), in accordance with 10 CFR 73.71(b)(1).

**LICENSEE EVENT REPORT (LER)**

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**17. NARRATIVE** *(If more space is required, use additional copies of NRC Form 366A)*

**D. CAUSE OF EVENT**

The contract employee failed to disclose the criminal charge in order to gain UA. A review of SNC's and its approved contractor's access authorization process concluded that requirements and established processes were followed regarding the granting of authorization for UA in this case. The cause of this event was the omission or falsification of material information by the contract employee.

**E. ANALYSIS OF EVENT**

Based on investigation of this event, no plant equipment or systems were harmed due to the failure of the contract employee to self-disclose the charge. During the time the contract employee had UA, no aberrant behavior was observed. There was no safety significance associated with this event, as there were no releases of radioactive materials, no personnel injuries, and no reportable equipment or system failures resulting from this event.

**F. CORRECTIVE ACTIONS**

The subject individual has been denied UA at all SNC nuclear plants and has been identified in the shared, industry-sponsored Personnel Access Data System (PADS).

**G. ADDITIONAL INFORMATION**

Since this event involved the action of an individual applicant, previous corrective actions involving individual employees would not have prevented this event.

A review of plant documentation revealed no previous similar events occurred in the past 3 years.

This event is not considered reportable under the Equipment Performance and Information Exchange (EPIX) program.