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APR 01 2009

Docket Nos.: 52-025  
52-026

ND-09-0494

U.S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555-0001

Southern Nuclear Operating Company  
Vogtle Electric Generating Plant Units 3 and 4 Combined License Application  
Proposed Revision to Physical Security Plan

Ladies and Gentlemen:

By letter dated March 28, 2008, Southern Nuclear Operating Company (SNC) submitted a physical security plan (PSP) to the U.S. Nuclear Regulatory Commission (NRC) as part of the combined license (COL) application for proposed Vogtle Electric Generating Plant (VEGP) Units 3 and 4. On March 27, 2009, the NRC published in the Federal Register (74 FR 13926 - 13993) the Final Rule related to Power Reactor Security Requirements (RIN 3150-AG63). Enclosure 1 of this letter provides a proposed revision to the PSP that complies with the requirements of this Final Rule on Power Reactor Security Requirements. This proposed revision has all the text that SNC has added to the template colored in blue in order to aide the review process. SNC requests that the NRC review this proposed revision to the PSP with the VEGP Units 3 and 4 COL Application in accordance with 10 CFR 52.48, in lieu of the original PSP that was submitted on March 28, 2008. Following review by the NRC staff, this proposed PSP revision will be incorporated as Revision 1 to Part 8, Safeguards / Security Plans, of the VEGP Units 3 and 4 COL Application. The enclosed PSP provides the SNC fleet security program consisting of the Edwin I. Hatch Nuclear Plant, the Joseph M. Farley Nuclear Plant, and the Vogtle Electric Generating Plant once the proposed VEGP Units 3 and 4 enter the operational phase. The enclosed document does not supersede the existing SNC PSP with respect to security operations of the current SNC fleet. At the appropriate time prior to VEGP Unit 3 entering the operational phase, the enclosed PSP and any subsequent revisions will be integrated into the SNC PSP by applying the provisions of 10 CFR 50.54(p) and those contained in Appendix E of the Plan. **Enclosure 1 contains safeguards information and should be withheld from public disclosure in accordance with 10 CFR 73.21 and 10 CFR 2.390(a)(3).**

The proposed revision to the PSP is consistent with the Nuclear Energy Institute (NEI) template, NEI 03-12, Revision 6, dated March 18, 2009, which was provided to the NRC for review and endorsement on March 25, 2009, and reflects additional minor changes that were provided to the NRC on March 30, 2009. SNC understands that NRC endorsement of NEI 03-12, Rev. 6 is

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imminent; however, should changes be made to this template in response to comments received during the endorsement review, these changes will be captured, as appropriate, in a future revision to the PSP. With few exceptions, the generic, non-bracketed text in the template is repeated verbatim in the proposed PSP. Enclosure 2 provides errata to the March 18, 2009 version of NEI 03-12, Rev. 6 (including the March 30, 2009 changes) that summarizes each of these variances, and provides a brief basis for the variance taken in the proposed PSP revision. In addition to the variances specifically addressed in Enclosure 2, verb forms have also been corrected throughout the document to agree with the singular/plural site-specific insertions for bracketed text.

An Appendix E is included in the proposed PSP revision to make the plan complete. The appendix has been modified from the endorsed version to remove the connective text to the previously proposed Appendix F since that appendix will not be issued.

For combined license applications, the Power Reactor Security Requirements Rule also includes new requirements to include, in the application: (1) a cyber security plan in accordance with the requirements of 10 CFR 73.54; and (2) a description and plans for implementation of the guidance and strategies intended to mitigate the loss of large areas of the plant due to explosions or fire, as required by 10 CFR 50.54(hh)(2), commonly referred to as the §52.80(d) Report. The submittal of these two elements of the application has been delayed due to delays in issuance of related regulatory guidance and issues associated with the development, review, and endorsement of the templates that are expected to provide an acceptable format and content for these elements. Changes to the application related to the Cyber Security Plan and the §52.80(d) Report will be submitted for NRC review shortly after the industry templates for these elements are available. SNC expects that the delay in submittal of these elements will not impact the review of the remainder of the application.

If you have any questions regarding this letter, please contact Mr. Wes Sparkman at (205) 992-5061.

Mr. D.H. Jones states he is Site Vice President - Vogtle 3 and 4 for 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



David H. Jones  
Site Vice President - Vogtle 3 and 4

Sworn to and subscribed before me this 1<sup>st</sup> day of April, 2009

Notary Public: Glenn H. Bein

My commission expires: 05/06/09

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DHJ/BJS/dmw

Enclosures:

1. Non-Publically Available Proposed Revision to the SNC Physical Security Plan [*Note: Contains SAFEGUARDS INFORMATION*]
2. Errata: Variances from Generic Guidance Provided by March 18, 2009 Version of NEI 03-12, Rev. 6

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cc: Southern Nuclear Operating Company

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Mr. J. A. Miller, Executive Vice President, Nuclear Development (w/o enclosures)  
Mr. T. E. Tynan, Vice President - Vogtle (w/o enclosures)  
Mr. D. M. Lloyd, Vogtle Deployment Director (w/o enclosures)  
Mr. M. K. Smith, Technical Support Director (w/o enclosures)  
Mr. C. R. Pierce, Vogtle Development Licensing Manager (w/o enclosures)  
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Mr. W. A. Sparkman, COL Project Engineer (w/o enclosures)  
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File AR.01.02.06 (w/o enclosures)

Nuclear Regulatory Commission

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