



SAFEGUARDS INFORMATION

**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW, SUITE 23T85
ATLANTA, GEORGIA 30303-8931

September 11, 2009

Mr. Tom E. Tynan
Vice President - Vogtle
Southern Nuclear Operating Company, Inc.
Vogtle Electric Generating Plant
7821 River Road
Waynesboro, GA 30830

**SUBJECT: VOGTLE ELECTRIC GENERATING PLANT – SECURITY INSPECTION
REPORT 05000424/2009402 AND 05000425/2009402**

Dear Mr. Tynan

On August 14, 2009, the U. S. Nuclear Regulatory Commission (NRC) completed a security baseline inspection at your Vogtle Electric Generating Plant, Units 1 and 2. The inspection covered one or more of the key attributes of the security cornerstone of the NRC's Reactor Oversight Process. The enclosed report documents the inspection results, which were discussed with Mr. J. Williams and other members of your staff. A re-exit meeting was conducted by telephone on Wednesday, September 9, 2009 with Mr. K. Dyar.

This inspection examined activities conducted under your license as they relate to security and compliance with the Commission's rules and regulations and with the conditions of your license. The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel.

This report documents one NRC identified finding of very low security significance (i.e., Green as determined by the Physical Protection Significance Determination Process). The deficiency was corrected or compensated for, and the plant was in compliance with applicable physical protection and security requirements within the scope of this inspection before the inspectors left the site. The finding had a cross-cutting aspect in the area of Problem Identification and Resolution, related to the Corrective Action Program component because the licensee did not ensure that an issue potentially impacting nuclear safety was thoroughly evaluated and that the actions taken adequately addressed the cause and extent of condition [P.1(c)]. However, because of the very low safety significance and because the deficiency was entered into your corrective action program, the NRC is treating this violation as non-cited violation (NCV) consistent with Section VI.A.1 of the NRC Enforcement Policy. If you contest this violation, you should provide a response within 30 days of the date of this inspection report, with the basis for your disagreement, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555-0001; and the NRC Resident Inspector at the Vogtle Electric Generating Plant. In addition, if you disagree with the characterization of any finding in this report, you should provide a response within 30 days of the date of this inspection report, with the basis for your disagreement, to the Regional Administrator, Region II, and the NRC Resident Inspector at the Vogtle Electric Generating Plant. The information you provide will be considered in accordance with the Inspection Manual Chapter 0305.

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In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system, ADAMS. ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). However, because of the security-related concerns contained in the enclosure, and in accordance with 10 CFR 2.390, a copy of this letter's enclosure will not be available for public inspection.

In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response, if any. This practice will ensure that your response will not be made available electronically for public inspection in the NRC Public Document Room ADAMS. If Safeguards Information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21. Otherwise, mark your entire response "Security-Related Information-Withhold Under 10 CFR 2.390" and follow the instructions for withholding in 10 CFR 2.390(b)(1).

Sincerely,

/RA H. Christensen for /

Michael E. Ernstes, Chief
Plant Support Branch 2
Division of Reactor Safety

Docket No.: 50-424, 50-425
License No.: NPF-68, NPF-81

Enclosure: Inspection Report 05000424/2009402 and 05000425/2009402
w/Attachment: Supplemental Information

cc w/encl.: (See page 3)

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cc w/Encl:

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Sincerely,
/RA H. Christensen for /
 Michael E. Ernstes, Chief
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