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UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
245 PEACHTREE CENTER AVENUE NE, SUITE 1200
ATLANTA, GEORGIA 30303-1257

July 19, 2010

EA-10-089

Mr. Thomas D. Gatlin
Vice President
South Carolina Electric & Gas Company
Virgil C. Summer Nuclear Station
P.O. Box 88
Jenkinsville, SC 29065

SUBJECT: FINAL SIGNIFICANCE DETERMINATION - NRC INSPECTION REPORT
05000395/2010404

Dear Mr. Gatlin:

This letter provides you the final results of our significance determination of the preliminary Greater than Green finding, identified in NRC Inspection Report 05000395/2010403, dated May 21, 2010. This preliminary Greater than Green finding was discussed in detail Section 4OA4.02.03.e of the inspection report.

At your request, a Regulatory Conference was held on June 30, 2010, to further discuss your views on this issue. During the meeting, your staff described your assessment of the significance of the finding, the corrective actions taken to resolve it, including the root cause of the finding.

After considering the information developed during the inspection and the additional information you provided at the conference, the NRC has concluded that the inspection finding is appropriately characterized as greater than very low security significance (i.e., greater than Green as determined by the Physical Protection Significance Determination Process).

You have 30 calendar days from the date of this letter to appeal the staff's determination of significance for the identified greater than green finding. Such appeals will be considered to have merit only if they meet the criteria given in the NRC Inspection Manual Chapter 0609, Attachment 2.

The NRC also has determined that the condition discussed in NRC Inspection Report 05000395/2010403 is a violation of 10 CFR 73.22(c)(2), as cited in the enclosed Notice of Violation (Notice). In accordance with the NRC Enforcement Policy, the Notice is considered escalated enforcement action because it is associated with a Greater than Green finding.

The NRC has concluded that information regarding the reasons for the violation, the corrective actions taken or planned in order to correct the violation and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in the information presented by SCE&G at the conference. Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective

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actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

For administrative purposes, this letter is issued as a separate NRC Inspection Report, No. 05000395/2010404.

Because plant performance for this issue has been determined to be beyond the licensee response band, we will use the NRC's Security Action Matrix to determine the most appropriate NRC response for this event. We will notify you, by separate correspondence, of that determination.

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

Because this issue involves security-related information, your response, should you choose to respond in writing, will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The material enclosed herewith contains security-related information in accordance with 10 CFR 2.390(d)(1) and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Should you have any questions concerning this letter, please contact Mr. Kriss Kennedy, Director, Division of Reactor Safety, at (404) 997-4600.

Sincerely,

/RA/
Luis A. Reyes
Regional Administrator

Docket No. 50-395
License No. NPF-12

Enclosures: 1. Inspection Report 05000395/2010404 (**OUO/Security Related Information**)
2. Notice of Violation (**OUO/Security Related Information**)

cc w/encl: See page 3

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cc w/encls:

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Letter to Mr. Thomas D. Gatlin from Luis A. Reyes

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05000395/2010404

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