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

October 7, 2010

Southern Nuclear Operating Company, Inc.
ATTN: Mr. David H. Jones
Nuclear Site Vice President
Vogtle Units 3 & 4
7825 River Road
Waynesboro, GA 30830

SUBJECT: SOUTHERN NUCLEAR OPERATING COMPANY VOGTLE ELECTRIC GENERATING PLANT ESP SITE– NRC SECURITY BASELINE INSPECTION REPORT 05200011/2010003 AND NOTICE OF VIOLATION

Dear Mr. Jones:

On September 8, 2010, the U.S. Nuclear Regulatory Commission (NRC) completed a security baseline inspection at your Vogtle Electric Generating Plant, ESP Site, Units 3 and 4. The enclosed inspection report documents the inspection results, which were discussed on August 13, 2010, with you and other members of your staff. On September 9, 2010, a telephonic re-exit meeting was held where the inspectors presented final inspection results to Mr. J. Williams and other staff members.

The inspection examined activities conducted under your Limited Work Authorization as they relate to security and compliance with the Commission's rules and regulations. The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel. The inspection found that the licensee, through its contractor, failed to complete required self-disclosures and suitability inquiries on a number of contract personnel. This led to contractor work being performed that was not in compliance with 10 CFR 26.61 and 10 CFR 26.63.

Based on the results of this inspection, the NRC has determined that a Severity Level IV violation of NRC requirements occurred. The violation was determined to have greater than minor significance, because if it were left uncorrected, it would have represented a failure to establish and maintain an adequate procedure that could render the quality of the construction activity unacceptable or indeterminate. However, the finding was found to have very low safety significance because it was determined after the required self-disclosures and suitability inquiries had been completed, that the workers would have been granted unescorted access if the disclosures/inquiries had been completed before the access was originally granted. The violation is cited in the enclosed Notice of Violation and the circumstances surrounding it are described in detail in the subject inspection report. The violation is being cited in the Notice because your site corrective action program had not yet been demonstrated to be effectively implemented.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

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 enclosures, and in accordance with 10 CFR 2.390, a copy of this letter's enclosures 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 or from the NRC's document system, 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/

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

Docket No.: 05200011
License No.: Construction Limited Work Authorization

Enclosures: 1. Inspection Report 05200011/2010003 w/Attachment: Supplemental Information **(OUO);**
2. Notice of Violation. **(OUO)**

cc w/Encls: (See page 3)
cc w/o Encls: (See page 3)

cc w/Encl:
N. J. Stringfellow
Manager Licensing
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201-1295

L. Mike Stinson
Vice President
Fleet Operations Support
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201-1295

Jeffrey T. Gasser
Executive Vice President
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201-1295

David H. Jones
Vice President
Engineering
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201-1295

Michael A. MacFarlane
Southern Nuclear Operating Company, Inc.
40 Inverness Center Parkway
P.O. Box 1295
Birmingham, AL 35201-1295

Ms. Moanica M. Caston
Vice President and General Counsel
Southern Nuclear Operating Company, Inc.
40 Inverness Center Parkway
P.O. Box 1295
Birmingham, AL 35201-1295

cc w/o Encl:
Laurence Bergen
Oglethorpe Power Corporation
2100 East Exchange Place
P.O. Box 1349
Tucker, GA 30085-1349

Dr. Carol Couch
Director
Environmental Protection
Department of Natural Resources
2 Martin Luther King Drive, S.E.
Suite 1152 East Tower
Atlanta, GA 30334

Office of the Attorney General
40 Capitol Square, SW
Atlanta, GA 30334

Office of the County Commissioner
Burke County Commission
Waynesboro, GA 30830

Resident Manager
Oglethorpe Power Corporation
Alvin W. Vogtle Nuclear Plant
7821 River Road
Waynesboro, GA 30830

Arthur H. Domby, Esq.
Troutman Sanders
Nations Bank Plaza
600 Peachtree Street, NE, Suite 5200
Atlanta, GA 30308-2216

Senior Engineer
Power Supply
Municipal Electric Authority of Georgia
1470 Riveredge Parkway NW
Atlanta, GA 30328-4684

Reece McAlister
Executive Secretary
Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

Director
Consumers' Utility Counsel Division
Govenor's Office of Consumer Affairs
2 M. L. King, Jr. Drive
Plaza Level East; Suite 356
Atlanta, GA 30334-4600
cc w/o Encl. (Continued on Page 4)

cc w/o Encl. (Continued From Page 3)

M. Stanford Blanton, Esq.
Balch and Bingham Law Firm
P.O. Box 306
1710 Sixth Avenue North
Birmingham, AL 35201

Cynthia Sanders
Program Manager
Radioactive Materials Program
Department of Natural Resources
4220 International Parkway
Suite 110
Atlanta, GA 30354

Lucious Abram
Burke's County Commissioner
P. O. Box 1626
Waynesboro, GA 30830

Christey Alexander
P. O. Box 276
Waynesboro, GA 30830

S. Clay Alexander
P. O. Box 1177
Waynesboro, GA 30830

Anne F. Appleby
Olgethorpe Power Corporation
2100 East Exchange Place
Tucker, GA 30084

Attorney General
Law Department
132 Judicial Building
Atlanta, GA 30334

Donald Baynet
622 Hill Street
Atlanta, GA 30312

Rodney Bigswell
402 Pine Street
Waynesboro, GA 30830

Mr. M. Stanford Blanton Esquire
Balch and Bingham, LLP
P.O. Box 306
Birmingham, AL 35201

Ms. Michele Boyd
Legislative Director
Energy Program
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Edwin D. Groover
1306 Bimini Place
Augusta, GA 30909-2610

Ed Burke
828 N. Liberty Street
Waynesboro, GA 30830

Geri Burke
828 N. Liberty Street
Waynesboro, GA 30830

Mathew Cardinale
Inter-Press Service
Atlanta Progressive News
P. O. Box 56154
Atlanta, GA 30343

Ruby Carter
Volunteer ACS
187 Penn Lane
Girard, GA 30426

County Commissioner
Office of the County Commissioner
Burke County Commission
Waynesboro, GA 30830

Gregory T. Coursey, Sr.
P. O. Box 702
Waynesboro, GA 30830

cc w/o Encl. (Continued on Page 5)

cc w/o Encl. (Continued from Page 4)
Carter Crawford
City of Sylvania
P. O. Box 555
Sylvania, GA 30467

Mr. James Davis
ESP Project Engineer
Southern Nuclear Company
PO Box 1295, BIN B056
Birmingham, AL 35201

Mr. Steven M. Jackson
Senior Engineer - Power Supply
1470 Riveredge Parkway, NW
Atlanta, GA 30328-4684

Director
Consumer's Utility
Counsel Division
Municipal Electric Authority of Georgia
Governor's Office of Consumer Affairs2
Martin Luther King, Jr. Drive Plaza Level
East, Suite 356
Atlanta, GA 30334-4600

Mr. Arthur H. Domby, Esquire
Troutman Sanders
Nations Bank Plaza
600 Peachtree Street, NE
Suite 200
Atlanta, GA 30308-2216

Mr. Jeffrey T. Gasser
Executive Vice President
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201-1295

Mr. Dave Hanley
327 Barlow Drive
Waynesboro, GA 30830

Jim Hardeman
GA DNR / EPD
4220 International Pkwy
Suite 100
Atlanta, GA 30354

O. C. Harper, IV
Vice President - Resources Planning and
Nuclear Development
Georgia Power Company
241 Ralph McGill Boulevard
Atlanta, GA 30308

Mr. Reece McAlister
Executive Secretary
Georgia Public Service Commission
Atlanta, GA 30334

Mr. Thomas O. McCallum
Site Development Project Engineer
Southern Nuclear Operating Co., Inc
PO Box 1295
Birmingham, AL 35201-1295

David H. Jones
Site Vice President
Plant Vogtle - ATTN: Units 3 & 4
7825 River Road
Waynesboro, GA 30830

Harry Judd
GPSC
244 N Main Street
Concord, NH 03304

Patricia Keefer
The Borough
466 Highway 56 N
Waynesboro, GA 30830

Robert W. Lee
GCC
1035 Postell Drive
Hephzibah, GA 30815

Mr. Dale M. Lloyd
Vogtle Deployment Director
Southern Nuclear Operating Co., Inc
P. O. Box 1295
Birmingham, AL 35201-1295

Kathi May
394A Knight Road
Waynesboro, GA 30830

cc w/o Encl. (Continued on Page 6)

cc w/o Encl. (Continued from Page 5)
Tyler May
394 A Knight Road
Waynesboro, GA 30830

Mr. M. W. Price
Oglethorpe Power Corporation
2100 East Exchange Place
P.O. Box 1349
Tucker, GA 30085-1349

Resident Inspector
Vogtle Plant
8805 River Road
Waynesboro, GA 30830

Michael Vandenbulalu
P. O. Box 587
Waynesboro, GA 30830

Mr. James H. Miller
President & Chief Executive Officer
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201

Mr. Joseph (Buzz) Miller
Executive Vice President
Nuclear Development
P.O. Box 1295
Birmingham, AL 35201-1295

Mr. Marshall A. Miller, IV
643 Miller Pond Road
Waynesboro, GA 30830

Mr. Thomas Moorer
Environmental Project Manager
Southern Nuclear Operating Co., Inc.
PO Box 1295
Birmingham, AL 35201-1295

Ms. Karen Patterson
Tetra Tech NUS
900 Trail Ridge Road
Aiken, SC 29803

Mr. Charles R. Pierce
Vogtle Deployment Licensing Manager
Southern Nuclear Operating Co., Inc.
PO Box 1295
Birmingham, AL 35201-1295

Resident Manager
Oglethorpe Power Corporation
Alvin W. Vogtle Nuclear Plant
7821 River Road
Waynesboro, GA 30830

Elaine Sikes
Burke County Library
130 Highway 24 South
Waynesboro, GA 30830

Mr. Jerry Smith
Commissioner District 8
Augusta-Richmond County Commission
1332 Brown Road
Hephzibah, GA 30815

Gene Stilp
1550 Fishing Creek Valley Road
Harrisburg, PA 17112

Mr. Robert E. Sweeney
IBEX ESI
4641 Montgomery Avenue
Suite 350
Bethesda, MD 20814

George B. Taylor, Jr
Oglethrope Power Corporation
2100 East Exchange Place
Tucker, GA 30008

Letter to David H. Jones from Michael E. Ernstes dated October 7, 2010

SUBJECT: SOUTHERN NUCLEAR OPERATING COMPANY VOGTLE ELECTRIC GENERATING PLANT ESP SITE– NRC SECURITY BASELINE INSPECTION REPORT 05200011/2010003 AND NOTICE OF VIOLATION

Distribution w/Encls:
C. Evans, RII EICS (Part 72 Only)
L. Douglas, RII EICS
G. West, NSIR (hard copy w/ encls)
D. Riffle, NSIR (hard copy w/ encls)
R. Croteau, RII, CCI (hard copy w/ encls)
RIDSNRRDIRS
OE Mail (email address if applicable)
PUBLIC **(w/o Encls. OUO REMOVED)**

***See previous page for concurrence.**

☐ PUBLICLY AVAILABLE **X** NON-PUBLICLY AVAILABLE **X** SENSITIVE ☐ NON-SENSITIVE

ADAMS: ☐ Yes ACCESSION NUMBER:_____ **X** SUNSI REVIEW COMPLETE

OFFICE	RII:DRS	RII:DRS	RII:DRS	RII:DRS	RII:CCI		
SIGNATURE	**RA**	**RA**	**RA**	**RA**	**RA**		
NAME	A. Richardson	J. Wallo	J. Graham	M. Ernstes	D. Ayers		
DATE		10/05/10	10/06/10	10/07/10	10/07/10		
E-MAIL COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES N

OFFICIAL RECORD COPY DOCUMENT NAME: G:\REACTORS\VOGTLE\Reports\2010\Construction\Vogtle Construction Inspection Report NOV 2010-003(Final - Rev 2) .doc.