



**~~OFFICIAL USE ONLY - SECURITY RELATED INFORMATION~~**

**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.

**~~Enclosure(s) transmitted herewith contain(s) SUNSI. When separated from enclosure(s), this transmittal document is decontrolled.~~**

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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)

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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

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**\*See previous page for concurrence.**

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