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March 27, 2012

Docket Nos.: 52-025  
52-026

ND-12-0674

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D. C. 20555-0001

Vogtle Electric Generating Plant Units 3 and 4  
Answer to March 12, 2012 Commission Order Modifying License with Regard to  
Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051)

Ladies and Gentlemen:

On March 12, 2012, the Nuclear Regulatory Commission (NRC) issued an immediately effective order in the captioned matter entitled Order Modifying License with Regard to Reliable Spent Fuel Pool Instrumentation (Effective Immediately) (Order) to, Vogtle Electric Generating Plant Units 3 and 4 (VEGP 3&4). The Orders state that, as a result of the NRC's evaluation of the lessons learned from the accident at Fukushima Dai-ichi in March 2011, the NRC had decided to direct nuclear power plant licensees and construction permit holders to take certain actions. Specifically, the NRC is requiring additional defense-in-depth measures to address uncertainties associated with protection from beyond-design-basis events. With respect to this Order, licensees are specifically directed to provide a reliable means of remotely monitoring "wide-range spent fuel pool levels" to support effective prioritization of event mitigation and recovery actions in the event of a beyond-design-basis external event. Specific requirements for VEGP 3&4 are outlined in Attachment 3 to the Order.

The Order requires submission of an overall integrated plan including a description of how compliance with the requirements described in Attachment 3 will be achieved to the NRC for review within one (1) year after the issuance of the final interim staff guidance (ISG). In addition, the Order requires submission of an initial status report 60 days following issuance of the final ISG and at six month intervals following submittal of the overall integrated plan. The Order states that the NRC intends to issue the ISG containing specific details on implementation of the requirements of this order in August 2012. Finally, the order requires full implementation of its requirements prior to initial fuel load for each respective unit.

Pursuant to 10 C.F.R. § 2.202 and the terms specified in the Order, Southern Nuclear Operating Company (SNC) hereby submits its answer to the Order on behalf of VEGP 3&4. SNC consents to the Order and does not request a hearing. Based on information currently available, SNC has not identified any circumstances of the type described in Sections IV.B.1 and IV.B.2 of the Order requiring relief at this time. In addition, SNC has not identified any impediments to compliance with the Order prior to initial fuel load of VEGP Unit 3 and Unit 4, respectively. SNC will provide further responses as required by Section IV.C in accordance with the specified deadlines. However, given the uncertainties associated with the ultimate scope of required work caused by the unavailability of implementing guidance until August 2012, and the impact on the ability of SNC to comply with the specific compliance deadline dates based on the probable availability of that guidance, SNC's future responses may include requests for schedule relief as warranted by subsequent NRC requirements or implementing guidance or the results of engineering analyses not yet performed. Any such request would be submitted in accordance with the relaxation provision in Section IV of the Order.

If you have any questions, please contact John Giddens at (205) 992-7924.

Mr. B. L. Ivey states he is a Vice President of 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.

Sworn to and subscribed before me this 27<sup>th</sup> day of March, 2012.

Ann G. Baker

Notary Public

My commission expires: 2/27/16



Respectfully submitted,

B. L. Ivey

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Regulatory Affairs Vice President

BLI/JMG/dmw

cc: Southern Nuclear Operating Company

Mr. S. E. Kuczynski, Chairman, President & CEO  
Mr. J. A. Miller, Executive Vice President, Nuclear Development  
Mr. D. A. Bost, Chief Nuclear Officer  
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Mr. D. H. Jones, VP, Regulatory Affairs, Vogtle 3 & 4  
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Mr. T. E. Tynan, Site VP, Vogtle 1 & 2  
Mr. D. M. Lloyd, Project Support Director, Vogtle 3 & 4  
Mr. C. R. Pierce, Regulatory Affairs Director  
Mr. M. J. Ajluni, Nuclear Licensing Director  
Mr. D. L. Fulton, Environmental Manager  
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U.S. Nuclear Regulatory Commission  
ND-12-0674  
Page 4 of 4

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