

March 15, 2010

The Honorable Mark Pryor  
500 President Clinton Avenue  
Suite 401  
Little Rock, AR 72201

Dear Senator Pryor:

On behalf of the Nuclear Regulatory Commission (NRC), I am responding to your letter of February 11, 2010, in which you requested the agency review information from your constituent, (b)(6) describes his denial of unrestricted access to the Hatch Nuclear Power Plant operated by Southern Nuclear Operating Company (the licensee), which is necessary for him to obtain employment at the facility.

The NRC has established regulatory requirements for access authorization for all nuclear power plants, but the owner and operator of the plant is responsible for implementing them and making final determinations regarding suitability for unescorted access to its facility. The objective of these regulations is to provide high assurance that individuals with unescorted access in nuclear power plants are trustworthy and reliable, and do not constitute an unreasonable risk to the health and safety of the public. NRC inspectors periodically review a plant's access authorization program to ensure that it is being conducted in compliance with NRC regulations.

The NRC requires each licensee to have a procedure for reviewing a denial of unescorted access. The procedure must provide the individual with the grounds for the denial and allow the individual to provide additional information that might affect the action. The denied individual also must get an objective review of the information on which the denial was based. (b)(6) provided you with a letter he received from the licensee that addresses these requirements.

Based on our review of (b)(6) statements, we have initiated our allegation process to review the licensee's compliance with its established access authorization procedures and NRC regulatory requirements. To facilitate this review, we have contacted (b)(6) and intend to solicit information from the licensee regarding the specifics of his situation. We estimate it will take a period of time (approximately 8 weeks) to collect information from the licensee and thoroughly review (b)(6) case. Upon completion of our review, we will provide both (b)(6) and your office with the results of our investigation.

M. Pryor

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If you have any questions, please contact me or Ms. Rebecca L. Schmidt, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

**/RA by Bruce S. Mallett for/**

R. W. Borchardt  
Executive Director  
for Operations