



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

May 15, 2014

Mr. John Acree, Nuclear Operations  
Training Manager  
Southern Nuclear Operating Company, Inc.  
Vogtle Electric Generating Plant  
7821 River Road  
Waynesboro, GA 30830-2965

**SUBJECT: VOGTLE ELECTRIC GENERATING PLANT – REQUEST FOR UPDATED  
INFORMATION FOR SENIOR REACTOR OPERATOR APPLICANT**

Dear Mr. Acree:

In March of 2012, Ms. Charlissa C. Smith (Ms. Smith) of your staff applied for a Senior Reactor Operator (SRO) license for the Vogtle Units 1 and 2 nuclear plants. Ms. Smith was administered the operating tests and the written examination in March-April of 2012. In a letter dated May 11, 2012, Ms. Smith was notified that she had not successfully passed the operating test portion of the overall examination, and that the NRC's Region II office proposed to deny her SRO license request. Ms. Smith requested and was granted an informal review of her examination results. This informal review was conducted by examiners from Region I, Region IV, and the office of Nuclear Reactor Regulation (NRR) Inspection and Operator Licensing Branch (IOLB). In a letter dated November 15, 2012, Ms. Smith was notified that the informal review concurred with the proposed denial of her SRO license application. In accordance with 10 C.F.R. § 2.103(b)(2), Ms. Smith requested, and was granted, an appeal of these results to the Atomic Safety and Licensing Board (ASLB).

The ASLB appointed a three-member panel of administrative law judges to preside over the appeal. After collecting pre-filed documents and written statements from both parties, the ASLB conducted an evidentiary hearing in Augusta, Georgia, on July 17 and 18, 2013. On March 18, 2014, the ASLB issued its initial decision, which directed the NRC Staff to "... issue a SRO license to Ms. Smith, subject to the satisfaction of any other licensing requirements not considered in this proceeding, such as health, that the Staff must assess before issuing a license pursuant to 10 C. F. R. § 55.33." Following this initial decision, there was a period of time for either party to appeal the initial decision to the Commission, and additional time for the Commission to decide if additional review (*sua sponte*) was needed. On May 14, 2014, the Commission formally declined such a review. Therefore, the ASLB initial decision has become the final agency action on this matter, and Region II is ready to issue Ms. Smith a SRO license in accordance with this final decision.

NUREG-1021, "Operator Licensing Examination Standards for Power Reactors," Revision 9, Supplement 1, lists the following requirement in ES-202 section C.1.a. "However, if an applicant's physical or mental condition has changed, or the time since the applicant's last complete medical examination is expected to exceed 24 months before the licensing action is completed, the applicant shall be reexamined by a physician and the facility licensee shall recertify the applicant's medical fitness on NRC Form 396." In accordance with this

requirement—because in this case there will be in excess of 24 months from the initial application to the completion of the licensing action—we hereby request that you submit an updated NRC Form 396 for Ms. Smith. Once we receive the updated medical information, we will issue Ms. Smith an SRO license, effective as of the date it is issued, and subject to the usual terms and conditions.

This letter contains information collections that are subject to the *Paperwork Reduction Act of 1995* (44 U.S.C. 3501 et seq.). These information collections were approved by the Office of Management and Budget (OMB) under approval number 3150-0018, which expires on April 30, 2016. Send comments on any aspect of this collection of information, including suggestions for reducing the burden, to the Information and Records Management Branch (T-6 F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet electronic mail at [infocollectsresource@nrc.gov](mailto:infocollectsresource@nrc.gov); and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0018), Office of Management and Budget, Washington, DC 20503.

The NRC may neither conduct nor sponsor, and a person is not required to respond to, an information collection, unless it displays a currently valid OMB control number.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of the 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).

I informed Mr. C. Nesbitt, Training Director for Vogtle Electric Generating Plant, of the finality of the ASLB decision and of our intention to proceed with licensing, subject to our receiving updated and acceptable medical information, in a telephone conversation this date. If you have any questions regarding this issue, please contact Mr. Malcolm Widmann at (404) 997-4550, (Internet E-mail: [Malcolm.Widmann@nrc.gov](mailto:Malcolm.Widmann@nrc.gov)), or me at (404) 997-4601, (Internet E-mail: [Mark.Miller@nrc.gov](mailto:Mark.Miller@nrc.gov)). Thank you for your cooperation in this matter.

Sincerely,

/RA/

Mark S. Miller, Deputy Director  
Division of Reactor Safety

Docket Nos.: 50-424, 50-425  
License Nos.: NPF-68, NPF-81

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Sincerely,

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Mark S. Miller, Deputy Director  
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PUBLICLY AVAILABLE       NON-PUBLICLY AVAILABLE       SENSITIVE       NON-SENSITIVE  
ADAMS: Yes      ACCESSION NUMBER: ML14135A553      X SUNSI REVIEW COMPLETE      X FORM 665 ATTACHED

OFFICE	RII:DRS	RII:DRS					
SIGNATURE	MKM	MSM					
NAME	MMEEKS	MMILLER					
DATE	5/15/2014	5/15/2014	5/ /2014	5/ /2014	5/ /2014	5/ /2014	5/ /2014
E-MAIL COPY?	YES	NO	YES NO	YES NO	YES NO	YES NO	YES NO