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UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II

245 PEACHTREE CENTER AVENUE NE, SUITE 1200
ATLANTA, GEORGIA 30303-1257

March 16, 2016

EA-16-017

Mr. Stephen P. McGavin
Fleet Security Director
Southern Nuclear Operating Company, Inc.
40 Inverness Center Parkway (Bin 042)
Birmingham, AL 35242

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2 – FINAL
SIGNIFICANCE DETERMINATION OF GREATER THAN GREEN FINDING,
NOTICE OF VIOLATION AND ASSESSMENT FOLLOWUP LETTER
INSPECTION REPORT 05000424/2016405 AND 05000425/2016405

Dear Mr. McGavin:

This letter provides you the final significance determination of a security finding that was identified during a special inspection conducted at the Vogtle Electric Generating Plant, Units 1 and 2, as documented in the U.S. Nuclear Regulatory Commission (NRC) Inspection Report (IR) 05000424/2016404 and 05000425/2016404, dated February 12, 2016.

In a letter dated February 22, 2016, Southern Nuclear Company (SNC) acknowledged the finding, stated that immediate corrective actions were taken, and also noted that a causal analysis was underway that could result in additional corrective actions. This letter also stated that SNC declined to attend a Regulatory Conference, and chose not to provide additional information through a written response. The SNC acknowledged that, in accordance with Inspection Manual Chapter 0609, they will not be able to appeal this final determination. Therefore, after considering the information developed during the inspection, the NRC has reached a final significance determination for the finding, as noted in Enclosure 1.

The NRC has also determined that a violation occurred, as noted in Enclosure 2. The circumstances surrounding the violation(s) were described in detail in NRC IR 05000424/2016404 and 05000425/2016404.

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

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In accordance with the NRC Enforcement Policy, this Notice of Violation (Notice) is considered an escalated enforcement action.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response. The NRC's review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements. If Security-Related Information is necessary to provide an acceptable response, please mark your entire response "Security-Related Information—Withhold from public disclosure under Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390" in accordance with 10 CFR 2.390(d)(1), and follow the instructions for withholding in 10 CFR 2.390(b)(1). In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

The NRC has determined that the finding cited in Enclosure 1 places Vogtle, Units 1 and 2, in the Regulatory Response Column of the Regulatory Oversight Program Action Matrix beginning the first Quarter of 2016. Therefore, the NRC plans to conduct an additional inspection when you have notified us of your readiness. This additional inspection will be conducted to provide assurance that the root and contributing causes for the performance issues are understood; to provide assurance that the extent-of-condition and extent-of-cause of the performance issues are understood; and to provide assurance that the corrective actions are sufficient to address the root and contributing causes, and prevent recurrence.

In accordance with 10 CFR 2.390, "Public inspections, exemptions, requests for withholding," of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC's Public Document Room, or from the Publicly Available Records (PARS) component of the NRC's Agencywide Documents Access and Management System (ADAMS); accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

S. McGavin

3

However, the material enclosed herewith contains Security-Related Information in accordance with 10 CFR 2.390(d)(1), and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the Enclosures will not be made available for public inspection.

Sincerely,

/RA/

Catherine Haney
Regional Administrator

Docket Nos. 50-424 and 50-425
License Nos. NPF-68 and NPF-81

~~Enclosures:~~

- ~~1. Final Significance Determination~~
- ~~2. Notice of Violation~~

cc:

Michael P. Long
Security Operations Manager
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Birmingham, AL 35242

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ADAMS: Yes ACCESSION NUMBER: ML16077A095 SUNSI REVIEW COMPLETE FORM 665 ATTACHED

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