



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 7, 2019

Mr. Brian H. Whitley, Director
Regulatory Affairs
Southern Nuclear Operating Company
3535 Colonnade Parkway, Bin N-226-EC
Birmingham, AL 35243

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT, UNITS 3 AND 4 — EXEMPTION
FROM THE REQUIREMENTS OF 10 CFR PART 26 VISITOR ACCESS
REQUIREMENTS (EPID L-2018-LLE-0022)

Dear Mr. Whitley:

The U.S. Nuclear Regulatory Commission has approved the enclosed exemption from specific requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 26.4(f) for the Vogtle Electric Generating Plant (VEGP) Units 3 and 4. This action is in response to your application dated December 6, 2018, and supplement dated March 8, 2019 (Agencywide Documents Access and Management System Accession Nos. ML18340A280 and ML19067A173, respectively), regarding application of a fitness-for-duty (FFD) program meeting the requirements of 10 CFR Part 26, Subpart K, to individuals who construct or direct the construction of safety- or security-related structures, systems, and components (SSCs).

10 CFR 26.4(f) requires, for a holder of a combined license, that any individual who is constructing or directing the construction of safety- or security-related SSCs shall be subject to an FFD program that meets the requirements of 10 CFR Part 26, Subpart K. Under the exemption, individuals who are needed for a short period of time (30 days or fewer in a 60-day period) to construct or direct the construction of safety- or security-related SSCs, who would otherwise be subject to a Subpart K FFD program, would be allowed to come onsite under escort prior to the establishment of an operational protected area or the 10 CFR 52.103(g) finding. The exemption for VEGP Unit 3 would expire when a protected area is established for VEGP Unit 3, and the exemption for VEGP Unit 4 would expire when a protected area is established for VEGP Unit 4.

As discussed in the attached, the exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest.

B. Whitley

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A copy of the exemption is enclosed. The exemption has been forwarded to the Office of the *Federal Register* for publication.

Sincerely,

/RA/

Donald Habib, Project Manager
Licensing Branch 2
Division of Licensing, Siting, and
Environmental Analysis
Office of New Reactors

Docket Nos.: 52-025
52-026

Enclosure:
Federal Register Notice

cc: See next page

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(Revised 05/08/2019)

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