



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

November 23, 2021

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

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT, UNITS 3 AND 4 —  
EXEMPTION FROM IMPLEMENTATION OF THE PHYSICAL PROTECTION  
REQUIREMENTS OF 10 CFR 73.55 AND ACCESS AUTHORIZATION  
REQUIREMENTS OF 10 CFR 73.56 (EPID L-2021-LLE-0049)

Dear Mr. Whitley:

The U.S. Nuclear Regulatory Commission (NRC, the Commission) has granted the enclosed exemption from specific requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) 73.55, "Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage," paragraph (a)(4) and 73.56, "Personnel access authorization requirements for nuclear power plants," paragraph (a)(3) for Vogtle Electric Generating Plant (VEGP) Units 3 and 4. This action is in response to Southern Nuclear Operating Company, Inc.'s letter dated November 1, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21305B797).

Specifically, 10 CFR 73.55(a)(4) requires a holder of a combined license (COL) under the provisions of 10 CFR Part 52 to implement the requirements of 10 CFR 73.55 before fuel is allowed onsite (in the protected area). Similarly, 10 CFR 73.56(a)(3) requires each holder of a COL under the provisions of 10 CFR Part 52 to implement the requirements of 10 CFR 73.56 before fuel is allowed onsite (in the protected area). This exemption authorizes VEGP Units 3 and 4 to implement the requirements of 10 CFR 73.55 and 10 CFR 73.56 for each unit after the Commission makes its finding under 10 CFR 52.103(g) for the unit but before initial fuel load into the reactor for that unit. The 10 CFR 52.103(g) finding is a finding by the NRC that all the acceptance criteria in the COL are met, after which the licensee may begin operation, including loading of fuel, in accordance with the conditions of the license.

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. The exemption is effective immediately and expires for each unit when SNC implements the requirements of 10 CFR 73.55 and 10 CFR 73.56 for that unit, which must occur before SNC begins initial fuel loading for the unit.

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/*

Cayetano Santos Jr., Project Manager  
Vogtle Project Office  
Office of Nuclear Reactor Regulation

Docket Nos.: 52-025  
52-026

Enclosure:  
Exemption

cc: Listserv

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**ADAMS Accession No.:** ML21320A041 - Package                      \*via Email                      NRO-008

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