



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION II
245 PEACHTREE CENTER AVENUE N.E., SUITE 1200
ATLANTA, GEORGIA 30303-1200

February 2, 2023

EA-22-093

Mr. Daniel G. Stoddard
Senior Vice President and Chief Nuclear Officer
Dominion Energy South Carolina
5000 Dominion Blvd., Floor: IN-2SW
Glen Allen, VA 29060

SUBJECT: VIRGIL C. SUMMER NUCLEAR STATION, UNIT 1 – FINAL SIGNIFICANCE DETERMINATION FOR A SECURITY-RELATED GREATER THAN GREEN FINDING, NOTICE OF VIOLATION AND ASSESSMENT FOLLOWUP LETTER, NRC SECURITY INSPECTION REPORT 05000395/2023440

Dear Mr. Stoddard:

This letter provides you the final results of our significance determination of the preliminary Greater than Green finding identified in our previous communication dated October 28, 2022 (U.S. Nuclear Regulatory Commission (NRC) inspection report (IR) 05000395/2022403 (ML22301A126)). This Greater than Green finding was discussed in detail in Section 93812 of the subject inspection report.

In a telephone conversation on November 7, 2022, Dominion Energy South Carolina (DESC) notified the NRC of its intention to provide a written response to the violation. The NRC received DESC's written response in a letter dated December 6, 2022. This letter acknowledged the finding and preliminary significance and provided additional information regarding the licensee's completed root cause evaluation and corrective actions completed to date. After considering the information developed during the inspection and the additional information submitted by the licensee, the NRC has reached a final significance determination as described in Enclosure 1, and concluded the finding is appropriately characterized as described in the Notice of Violation (Notice, Enclosure 2). The circumstances surrounding the violation were described in detail in NRC IR 05000395/2022403. In accordance with the NRC Enforcement Policy, this Notice of Violation is considered an escalated enforcement action.

You have 30 calendar days from the date of this letter to appeal the staff's determination of significance for the identified Greater than Green finding. Such appeals will be considered to have merit only if they meet the criteria given in the IMC 0609, Attachment 2. An appeal must be sent in writing to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001; with copies to the Regional Administrator, Region II; the Director, Office of Enforcement; and the NRC resident inspector at V. C. Summer.

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

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D. Stoddard

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For administrative purposes, this letter is issued as a separate NRC Inspection Report No. 05000395/2023440. Accordingly, apparent violation (AV) 05000395/2022403-01 is updated consistent with the regulatory positions described in this letter, as NOV 05000395/2022403-01 in the Security Cornerstone with a safety significance of Greater Than Green with cross-cutting aspect H.1 – Resources.

As a result of the finding cited in Enclosure 2, the NRC determined the performance at Virgil C. Summer Nuclear Station Unit 1, will remain in the Regulatory Response Column of the Regulatory Oversight Program Action Matrix beginning the Third Quarter of 2022 (July 1, 2022). Therefore, the NRC plans to perform an additional inspection. This inspection is 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. This inspection will be scheduled after you notify the NRC of your readiness. This letter supplements, but does not supersede, the annual assessment letter issued on March 2, 2022, and the follow-up assessment letter issued on October 18, 2022.

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).

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 electronically for public inspection in the NRC Public Document Room or in 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>. If Security Related Information is necessary to provide an acceptable response, please mark your entire response Security-Related Information 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.

Sincerely,

Laura A. Dudes
Regional Administrator

Docket No. 05000395
License No. NPF-12

Enclosures:
~~As stated~~

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