

May 30, 2008

Mr. Joseph A. (Buzz) Miller  
Senior Vice President  
and Chief Nuclear Officer  
Southern Nuclear Operating Company  
P.O. Box 1295  
Birmingham, AL 35201

SUBJECT: ACCEPTANCE REVIEW FOR THE VOGTLE ELECTRIC GENERATING PLANT  
UNITS 3 AND 4 COMBINED LICENSE APPLICATION

Dear Mr. Miller:

By letter dated March 28, 2008, Southern Nuclear Operating Company (SNC), acting on behalf of itself and Georgia Power Company, Oglethorpe Power Corporation (an Electric Membership Corporation), Municipal Electric Authority of Georgia, and the City of Dalton, Georgia, an incorporated municipality in the State of Georgia acting by and through its Board of Water, Light and Sinking Fund Commissioners, submitted its application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for two AP1000 advanced passive pressurized water reactors in accordance with the requirement contained in 10 CFR Part 52, "Licenses, Certifications and Approvals for Nuclear Power Plants." This letter informs you that the NRC staff has completed its acceptance review and has determined that your application is acceptable for docketing. These reactors will be identified as Vogtle Electric Generating Plant (VEGP) Units 3 and 4 (VEGP Units 3 and 4), and are to be located on the existing VEGP site in Burke County, Georgia. The docket numbers established for VEGP Units 3 and 4 are 52-025 and 52-026, respectively.

The VEGP combined license application (COLA) incorporates by reference Appendix D to 10 CFR Part 52 and the AP1000 Design Control Document submitted by Westinghouse as Revision 16. As allowed by 10 CFR 52.55(c), at your own risk, you have referenced a design certification application that has been docketed but not granted. Therefore your COL review schedule is dependent on the review schedule for the design certification. In addition, as a subsequent combined license (S-COL) applicant, your COL review schedule is also dependent on the review schedule for the Tennessee Valley Authority's (TVA's) Bellefonte Units 3 and 4 COLA (the reference COL for the AP1000 design center). Because you utilize the standard content contained in the reference COL (R-COL), it is incumbent upon SNC to remain cognizant of the resolution of the standard technical issues that will be addressed during the NRC review of the Bellefonte R-COL application. If you determine that it is necessary to resolve a standard issue differently for the VEGP Units 3 and 4 COLA, you must notify the NRC immediately so that we may determine the review impact of this standard issue's being considered as site specific. Finally, the Vogtle COLA incorporates by reference your Early Site Permit (ESP) application. The COL review schedule is therefore dependent on the review schedule for the ESP.

As stated in the April 24, 2008 letter, which acknowledged receipt of the COLA, the staff intends to publish a schedule for review of the VEGP Units 3 and 4 COLA within 30 days of completing the acceptance review. As discussed with your staff, the schedule will be limited to the review of phases 1, 2, and 3.

The schedule for the remaining phases is to be published between 60 to 90 days from the date of this letter. During this period, the staff will work with you and the AP1000 design center working group to assess the feasibility of reviewing standard content on a stand-alone basis so that subsequent COL applicants, such as yourself, are minimally affected by site-specific safety and/or environmental issues that may arise on the R-COL. The staff expects to interact with you as this schedule is developed.

Enclosure 1 is a notice of acceptance for docketing. This notice is being forwarded to the Office of the Federal Register, and a separate notice will be published in accordance with the provisions of 10 CFR 2.104, regarding the opportunity to file a petition for leave to intervene in the hearing required for this application.

Should you have any questions, please contact me at (301) 415-3863 or send an e-mail to [Manny.Comar@nrc.gov](mailto:Manny.Comar@nrc.gov).

Sincerely,

**/RA/**

Manny Comar, Lead Project Manager  
AP1000 Projects Branch 1  
Division of New Reactor Licensing  
Office of New Reactors

Docket Nos. 52-025  
52-026

Enclosure:  
Federal Register Notice

The schedule for the remaining phases is to be published between 60 to 90 days from the date of this letter. During this period, the staff will work with you and the AP1000 design center working group to assess the feasibility of reviewing standard content on a stand-alone basis so that subsequent COL applicants, such as yourself, are minimally affected by site-specific safety and/or environmental issues that may arise on the R-COL. The staff expects to interact with you as this schedule is developed.

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Should you have any questions, please contact me at (301) 415-3863 or send an e-mail to Manny.Comar@nrc.gov.

Sincerely,

**/RA/**

Manny Comar, Lead Project Manager  
AP1000 Projects Branch 1  
Division of New Reactor Licensing  
Office of New Reactors

Docket Nos. 52-025  
52-026

Enclosure:  
Federal Register Notice

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U.S. NUCLEAR REGULATORY COMMISSION  
SOUTHERN NUCLEAR OPERATING COMPANY  
ACCEPTANCE FOR DOCKETING OF AN APPLICATION FOR  
COMBINED LICENSE FOR VOGTLE ELECTRIC GENERATING PLANT UNITS 3 AND 4  
DOCKET NOS. 52-025 AND 52-026

By letter dated March 28, 2008, Southern Nuclear Operating Company (SNC), acting on behalf of itself and Georgia Power Company, Oglethorpe Power Corporation (an Electric Membership Corporation), Municipal Electric Authority of Georgia, and the City of Dalton, Georgia, an incorporated municipality in the State of Georgia acting by and through its Board of Water, Light and Sinking Fund Commissioners, submitted an application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for two AP1000 advanced passive pressurized water reactors in accordance with the requirements contained in 10 CFR 52, "Licenses, Certifications and Approvals for Nuclear Power Plants." These reactors will be identified as Vogtle Electric Generating Plant (VEGP) Units 3 and 4 and located on the existing VEGP site in Burke County, Georgia. A notice of receipt and availability of this application was previously published in the *Federal Register* (73 FR 24616) on May 5, 2008.

The NRC staff has determined that SNC has submitted information in accordance with 10 CFR Part 2, "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," and 10 CFR Part 52 that is acceptable for docketing. The docket numbers established for the VEGP Units 3 and 4 COL application are 52-025 and 52-026, respectively. This COL application is referencing an Early Site Permit (ESP) application (docket number 52-011) for the VEGP Units 3 and 4 site. The ESP application is currently being considered by the NRC.

The NRC staff will perform a detailed technical review of the application. Docketing of the application does not preclude the NRC from requesting additional information from the applicant as the review proceeds, nor does it predict whether the Commission will grant or deny the application. The Commission will conduct a hearing in accordance with Subpart L, "Informal Hearing Procedures for NRC Adjudications," of 10 CFR Part 2 and will receive a report on the COL application from the Advisory Committee on Reactor Safeguards in accordance with 10 CFR 52.87, "Referral to the Advisory Committee on Reactor Safeguards (ACRS)." If the Commission finds that the COL application meets the applicable standards of the Atomic Energy Act and the Commission's regulations, and that required notifications to other agencies and bodies have been made, the Commission will issue a COL, in the form and containing conditions and limitations that the Commission finds appropriate and necessary.

In accordance with 10 CFR Part 51, the Commission will also prepare a supplemental environmental impact statement for the proposed action. Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold a public scoping meeting. Detailed information regarding this meeting will be included in a future *Federal Register* notice.

Finally, the Commission will announce in a future *Federal Register* notice the opportunity to petition for leave to intervene in the hearing required for this application by 10 CFR 52.85.

Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852, and will be accessible electronically through the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room link at the NRC Web site <http://www.nrc.gov/reading-rm/adams.html>. The application is also available at <http://www.nrc.gov/reactors/new-licensing/col.html>. Persons who do not have access to ADAMS or who encounter problems in accessing documents located in ADAMS

should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland this 30<sup>th</sup> day of May 2008.

FOR THE NUCLEAR REGULATORY COMMISSION

Manny Comar, Lead Project Manager  
AP1000 Projects Branch 1  
Division of New Reactor Licensing  
Office of New Reactors

COL - Vogtle Mailing List  
cc:

(Revised 04/14/2008)

Attorney General  
Law Department  
132 Judicial Building  
Atlanta, GA 30334

Mr. Laurence Bergen  
Oglethorpe Power Corporation  
2100 East Exchange Place  
P.O. Box 1349  
Tucker, GA 30085-1349

Mr. M. Stanford Blanton  
Esquire  
Balch and Bingham, LLP  
P.O. Box 306  
Birmingham, AL 35201

Ms. Michele Boyd  
Legislative Director  
Energy Program  
Public Citizens Critical Mass Energy  
and Environmental Program  
215 Pennsylvania Avenue, SE  
Washington, DC 20003

County Commissioner  
Office of the County Commissioner  
Burke County Commission  
Waynesboro, GA 30830

Mr. James Davis  
ESP Project Engineer  
Southern Nuclear Company  
PO Box 1295, BIN B056  
Birmingham, AL 35201

Director  
Consumer's Utility  
Counsel Division  
Governor's Office of Consumer Affairs  
2 Martin Luther King, Jr. Drive  
Plaza Level East, Suite 356  
Atlanta, GA 30334-4600

Mr. Arthur H. Dombey, Esquire  
Troutman Sanders  
Nations Bank Plaza  
600 Peachtree Street, NE  
Suite 200  
Atlanta, GA 30308-2216

Mr. Jeffrey T. Gasser  
Executive Vice President  
Southern Nuclear Operating Company, Inc.  
P.O. Box 1295  
Birmingham, AL 35201-1295

O. C. Harper, IV  
Vice President - Resources Planning and  
Nuclear Development  
Georgia Power Company  
241 Ralph McGill Boulevard  
Atlanta, GA 30308

Mr. Steven M. Jackson  
Senior Engineer - Power Supply  
Municipal Electric Authority of Georgia  
1470 Riveredge Parkway, NW  
Atlanta, GA 30328-4684

Mr. Louis B. Long  
Vice President Technical Support  
Southern Nuclear Operating Company, Inc.  
P.O. Box 1295  
Birmingham, AL 35201-1295

Mr. Reece McAlister  
Executive Secretary  
Georgia Public Service Commission  
Atlanta, GA 30334

Mr. Thomas O. McCallum  
Site Development Project Engineer  
Southern Nuclear Operating Co., Inc.  
PO Box 1295  
Birmingham, AL 35201-1295

COL - Vogtle Mailing List

Mr. Joseph (Buzz) Miller  
Senior Vice President  
Southern Nuclear Operating Company, Inc.  
P.O. Box 1295  
Birmingham, AL 35201-1295

Mr. Robert E. Sweeney  
IBEX ESI  
4641 Montgomery Avenue  
Suite 350  
Bethesda, MD 20814

Mr. Thomas Moorer  
Environmental Project Manager  
Southern Nuclear Operating Co., Inc.  
PO Box 1295  
Birmingham, AL 35201-1295

Bentina C. Terry  
Southern Nuclear Operating Company, Inc.  
PO Box 1295, BIN B-022  
Birmingham, AL 35201-1295

Mr. Charles R. Pierce  
Vogtle Deployment Licensing Manager  
Southern Nuclear Operating Co., Inc.  
PO Box 1295  
Birmingham, AL 35201-1295

Resident Inspector  
Vogtle Plant  
8805 River Road  
Waynesboro, GA 30830

Resident Manager  
Oglethorpe Power Corporation  
Alvin W. Vogtle Nuclear Plant  
7821 River Road  
Waynesboro, GA 30830

Mr. Jerry Smith  
Commissioner  
District 8  
Augusta-Richmond County Commission  
1332 Brown Road  
Hephzibah, GA 30815

Gene Stilp  
1550 Fishing Creek Valley Road  
Harrisburg, PA 17112



## COL - Vogtle Mailing List

### Email

APH@NEI.org (Adrian Heymer)  
awc@nei.org (Anne W. Cottingham)  
bennettS2@bv.com (Steve A. Bennett)  
BrinkmCB@westinghouse.com (Charles Brinkman)  
chris.maslak@ge.com (Chris Maslak)  
crpierce@southernco.com (C.R. Pierce)  
cwaltman@roe.com (C. Waltman)  
david.hinds@ge.com (David Hinds)  
david.lewis@pillsburylaw.com (David Lewis)  
dlochbaum@UCSUSA.org (David Lochbaum)  
erg-xl@cox.net (Eddie R. Grant)  
frankq@hursttech.com (Frank Quinn)  
greshaja@westinghouse.com (James Gresham)  
james.beard@gene.ge.com (James Beard)  
jgutierrez@morganlewis.com (Jay M. Gutierrez)  
jim.riccio@wdc.greenpeace.org (James Riccio)  
jim@ncwarn.org (Jim Warren)  
JJNesrsta@cpsenergy.com (James J. Nesrsta)  
John.O'Neill@pillsburylaw.com (John O'Neill)  
Joseph\_Hegner@dom.com (Joseph Hegner)  
KSutton@morganlewis.com (Kathryn M. Sutton)  
kwaugh@impact-net.org (Kenneth O. Waugh)  
Marc.Brooks@dhs.gov (Marc Brooks)  
maria.webb@pillsburylaw.com (Maria Webb)  
mark.beaumont@wsms.com (Mark Beaumont)  
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)  
mcaston@southernco.com (Moanica Caston)  
media@nei.org (Scott Peterson)  
mike\_moran@fpl.com (Mike Moran)  
MSF@nei.org (Marvin Fertel)  
nirsnet@nirs.org (Michael Mariotte)  
patriciaL.campbell@ge.com (Patricia L. Campbell)  
paul.gaukler@pillsburylaw.com (Paul Gaukler)  
Paul@beyondnuclear.org (Paul Gunter)  
phinnen@entergy.com (Paul Hinnenkamp)  
pshastings@duke-energy.com (Peter Hastings)  
RJB@NEI.org (Russell Bell)  
RKTemple@cpsenergy.com (R.K. Temple)  
roberta.swain@ge.com (Roberta Swain)  
sandra.sloan@areva.com (Sandra Sloan)  
sfrantz@morganlewis.com (Stephen P. Frantz)  
steven.hucik@ge.com (Steven Hucik)  
tomccall@southernco.com (Tom McCallum)  
Vanessa.quinn@dhs.gov (Vanessa Quinn)

COL - Vogtle Mailing List

VictorB@bv.com (Bill Victor)

Wanda.K.Marshall@dom.com (Wanda K. Marshall)

waraksre@westinghouse.com (Rosemarie E. Waraks)