

September 19, 2006

UNITED STATES NUCLEAR REGULATORY COMMISSION
SOUTHERN NUCLEAR OPERATING COMPANY
NOTICE OF ACCEPTANCE FOR DOCKETING OF APPLICATION FOR
EARLY SITE PERMIT (ESP) FOR THE VOGTLE ESP SITE
DOCKET NO. 52-011

On August 15, 2006, the Nuclear Regulatory Commission (NRC, the Commission) received an application from Southern Nuclear Operating Company, dated August 14, 2006, filed pursuant to section 103 of the Atomic Energy Act and 10 CFR part 52, for an early site permit (ESP) for a location in eastern Georgia (near Waynesboro, Georgia) identified as the Vogtle ESP site. A notice of receipt and availability of this application was previously published in the *Federal Register* (71 FR 51222: August 29, 2006). The applicant supplemented the application by letters dated September 6 (two letters), 2006, and September 13, 2006. An applicant may seek an ESP in accordance with Subpart A of 10 CFR Part 52 separate from the filing of an application for a construction permit (CP) or combined license (COL) for a nuclear power facility. The ESP process allows resolution of issues relating to siting. At any time during the duration of an ESP (up to 20 years), the permit holder may reference the permit in a CP or COL application.

The NRC staff has determined that Southern Nuclear Operating Company has submitted information in accordance with 10 CFR Parts 2 and 52 that is sufficiently complete and acceptable for docketing. The Docket No. established for this application is 52-011. The NRC staff will perform a detailed technical review of the application, and docketing of the ESP 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 10 CFR 52.21 and will receive a report on the application from the Advisory Committee on Reactor Safeguards in accordance with 10 CFR 52.23. If the Commission then finds that the 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 an ESP, 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 an 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 52.21.

A copy of the Southern Nuclear Operating Company ESP application is available for public inspection at the Commission's Public Document Room located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and at the Burke County Library in Waynesboro, Georgia. It is also accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html> (ADAMS Accession No. ML062290246). Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC Public Document Room staff by telephone at 1-800-397-4209, 301-415-4737 or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland this day of September, 2006.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

David B. Matthews, Director
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation