

October 12, 2006

Mr. Don Klima, Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Avenue, NW, Suite 809
Washington, DC 20004

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Mr. Klima:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) submitted by Southern Nuclear Operating Company (Southern) on August 15, 2006. The applicant supplemented the application by letters dated August 17, 2006, September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. An ESP allows an applicant to set aside a site for potential future construction of one or more new nuclear power plants, and provides the opportunity to resolve site safety and environmental issues before construction begins. An ESP does not allow actual construction of a nuclear plant, which must be requested through another application. The ESP site proposed by Southern is adjacent to the existing Vogtle Electric Generating Plant on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia. The application was submitted by Southern pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52.

Southern has also included a site redress plan in its application in accordance with 10 CFR 52.17(c) and 52.25. If a site redress plan is included in an ESP approved by the NRC, the applicant may carry out certain site preparation and limited construction activities. Southern would still be required to obtain the appropriate local, State, and other Federal permits required for these activities prior to starting work. The application is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at <http://www.nrc.gov/reading-rm/adams.html>. The application is listed under accession number ML062290248.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) pursuant to 10 CFR Part 51, the NRC regulations that implement the National Environmental Policy Act of 1969. In accordance with 36 CFR 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under §106 of the National Historic Preservation Act of 1966, as amended. Accordingly, the staff has identified parties who may wish to consult with the staff in this regard and invited them to consult with the NRC staff on this matter. Consultation will include participation in the scoping process; identification of historic properties on the Vogtle ESP site; assessment of the effects of the proposed action on any

historic properties identified; and development of alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties.

The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under §800.8, the NRC staff will forward the draft EIS to consulting parties for review and comment, and will address the comments in the final EIS. A draft EIS is scheduled for publication in June 2007, and will also be provided to you for review and comment.

If you have any questions or require additional information, please contact the Environmental Project Manager for the Vogtle ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

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Christopher Nolan, Branch Chief
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Office of Nuclear Reactor Regulation

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Vogtle Electric Generating Plant

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