

October 12, 2006

Mr. David Bernhart  
Assistant Regional Administrator  
National Marine Fisheries Service  
Southeast Regional Office  
263 13th Avenue South  
St. Petersburg, FL 33701

SUBJECT: APPLICATION FOR AN EARLY SITE PERMIT FOR THE VOGTLE ESP SITE

Dear Mr. Bernhart:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Southern Nuclear Operating Company (Southern) for an early site permit (ESP) for the potential future construction of one or more new nuclear power plants. As part of the review of this application the NRC is preparing an environmental impact statement (EIS). The impact analyses in the EIS will include the potential impacts of the construction and operation of one or more new nuclear power plants at the applicant's preferred site or at one of three alternate sites, including the potential impacts to fish and wildlife and threatened and endangered species.

The applicant's preferred location for the new unit(s), if built, would be adjacent to the existing Vogtle Electric Generating Plant (VEGP), located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia. Southern also has identified three alternate sites that will be evaluated in the EIS. The three alternate sites owned by Southern: Barton Site (greenfield), in Chilton and Elmore Counties, Alabama, Edwin I. Hatch Nuclear Plant, Appling and Toombs Counties, Georgia, and Joseph M. Farley Nuclear Plant, in Houston County, Alabama.

Southern submitted the application for an ESP was on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* Part 52. 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, and 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. If approved, the ESP will document the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of one or more new nuclear plants. The ESP would not authorize the applicant to begin construction of the new unit(s). However, in its review the NRC staff will evaluate the environmental impacts of construction and operation and will also consider alternatives, including the above alternative sites.

To support the EIS preparation process and to ensure compliance with Section 7 of the Endangered Species Act of 1973, the NRC requests a list of endangered, threatened, candidate, and proposed species, and designated and proposed critical habitat under the

D. Bernhart

- 2 -

jurisdiction of NOAA Fisheries, that may be in the vicinity of the VEGP site and its transmission line corridors (Burke County, Jefferson County, Warren County, and McDuffie County ), and the three alternate sites listed above. In addition, please provide any information you consider appropriate under the provisions of the Fish and Wildlife Coordination Act of 1934.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. You and your staff are invited to attend. Your office will receive a copy of the draft EIS along with a request for comments after it is issued. The anticipated publication date for the draft EIS is July 2007.

If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP 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](mailto:mdn@nrc.gov) or [cxg3@nrc.gov](mailto: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

jurisdiction of NOAA Fisheries, that may be in the vicinity of the VEGP site and its transmission line corridors (Burke County, Jefferson County, Warren County, and McDuffie County ), and the three alternate sites listed above. In addition, please provide any information you consider appropriate under the provisions of the Fish and Wildlife Coordination Act of 1934.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. You and your staff are invited to attend. Your office will receive a copy of the draft EIS along with a request for comments after it is issued. The anticipated publication date for the draft EIS is July 2007.

If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP 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

DISTRIBUTION:

|                 |                                      |                 |
|-----------------|--------------------------------------|-----------------|
| Public          | D. Matthews/B. Beckner (RidsNrrDNRS) | M. Notich       |
| C. Nolan        | C. Araguas                           | J. Wilson       |
| C. Guerrero     | T. Kenyon                            | J. Davis        |
| K. Clark, RII   | G. McCoy, SRI                        | B. Anderson, RI |
| K. Leigh (PNNL) | M. Sackschewsky (PNNL)               | OPA             |
| OCA             | NEPB                                 |                 |

C:\FileNet\ML062850057.wpd  
Accession No.: **ML062850057**  
\*See Previous Concurrence

| OFFICE | LA:DNRL:NEPB | GS:DNRL:NEPB | PM:DNRL:NAPB | PM:DNRL:NEPB | OGC      | BC:DNRL:NEPB |
|--------|--------------|--------------|--------------|--------------|----------|--------------|
| NAME   | M. Viera*    | C. Guerrero* | C. Araguas*  | M. Notich*   | RWeisman | C. Nolan     |
| DATE   | 09/11/06     | 09/19/06     | 09/20/06     | 09/19/06     | 10/05/06 | 10/12/06     |

Vogtle Electric Generating Plant

cc:

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

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

Mr. Charles R. Pierce  
ESP Project Manager  
P.O. Box 1295  
Birmingham, AL 35201-1295

Mr. Thomas O. McCallum  
ESP Project Manager  
P.O. Box 1295  
Birmingham, AL 35201-1295

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

Mr. Reece McAlister  
Executive Secretary  
Georgia Public Service Commission  
244 Washington St., SW  
Atlanta, GA 30334

Mr. Adrian Heymer  
Nuclear Energy Institute  
Suite 400  
1776 I Street, NW  
Washington, DC 20006-3708

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

Arthur H. Dombey, Esquire  
Troutman Sanders  
Nations Bank Plaza  
600 Peachtree Street, NE  
Suite 5200  
Atlanta, GA 30308-2216

Resident Inspector  
Vogtle Plant  
8805 River Road  
Waynesboro, GA 30830

Mr. Paul Gunter  
Director of the Reactor Watchdog Project  
Nuclear Information & Resource Service  
1424 16<sup>th</sup> Street, NW, Suite 404  
Washington, DC 20036

Mr. Russell Bell  
Nuclear Energy Institute  
Suite 400  
1776 I Street, NW  
Washington, DC 20006-3708

Mr. James Riccio  
Greenpeace  
702 H Street, NW, Suite 300  
Washington, DC 20001

Mr. Jay M. Gutierrez  
Morgan, Lewis & Bockius, LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004

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

Ms. Vanessa E. Quinn, Chief  
Radiological Emergency Preparedness  
Branch  
Nuclear and Chemical Preparedness and  
Protection Division  
Department of Homeland Security  
1800 South Bell Street, Room 837  
Crystal City-Arlington, VA 22202-3546

Mr. Paul Leventhal  
Nuclear Control Institute  
1000 Connecticut Avenue, NW  
Suite 410  
Washington, DC 20036

Mr. David Lochbaum  
Union of Concerned Scientists  
1707 H Street, NW  
Suite 600  
Washington, DC 20006-3919

Mr. Marvin Fertel  
Senior Vice President  
and Chief Nuclear Officer  
Nuclear Energy Institute  
Suite 400  
1776 I Street, NW  
Washington, DC 20006-3708

Jim Davis  
ESP Project Engineer  
Southern Nuclear Company  
Post Office Box 1295, BIN B056  
Birmingham AL 35201

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

Bentina C. Terry  
Southern Nuclear Operating Company, Inc.  
Bin B-022  
P.O. Box 1295  
Birmingham, AL 35201-1295

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

Resident Manger  
Oglethorpe Power Corporation  
Alvin W. Vogtle Nuclear Plant  
Electronic Mail Distribution

Mr. Thomas P. Miller  
U.S. Department of Energy  
Headquarters - Germantown  
19901 Germantown Road  
Germantown, MD 20874-1290

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

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

Email:  
TOMCCALL@southernco.com  
CRPIERCE@southernco.com  
erg-xl@cox.net  
patriciaL.campbell@ge.com  
bob.brown@ge.com  
mark.beaumont@wsms.com  
sfrantz@morganlewis.com  
ksutton@morganlewis.com  
jgutierrez@morganlewis.com  
tom.miller@hq.doe.gov or  
tom.miller@nuclear.energy.gov  
steven.hucik@ge.com  
david.hinds@ge.com  
James1.Beard@ge.com  
chris.maslak@ge.com  
jim@ncwarn.org  
pshastings@duke-energy.com  
ronald.hagen@eia.doe.gov