

**From:** Cheri Nagel  
**To:** <internet:erg-xl@cox.net>, <INTERNet:pshastings@duke-energy.com>, <INTERNet:ronald.hagen@eia.doe.gov>, <internet:bob.brown@ge.com>, <INTERNet:chris.maslak@ge.com>, <INTERNet:david.hinds@ge.com>, <Internet:james1.beard@ge.com>, <internet:patriciaL.campbell@ge.com>, <INTERNet:steven.hucik@ge.com>, <Internet:tom.miller@hq.doe.gov>, <internet:jgutierrez@morganlewis.com>, <internet:ksutton@morganlewis.com>, <internet:sfrantz@morganlewis.com>, <Internet:beverly.miller@pnl.gov>, <internet:kimberly.leigh@pnl.gov>, <internet:michael.sackschewsky@pnl.gov>, <INTERNet:crpierce@southernco.com>, <INTERNet:tomccall@southernco.com>, <internet:mark.beaumont@wsms.com>, <jim@ncwarn.org>, "Brian Anderson" <BCA1@nrc.gov>, "Gerald McCoy" <GJM1@nrc.gov>, "Kenneth Clark" <KMC2@nrc.gov>, "Christian Araguas" <CJA2@nrc.gov>, <RidsNrrDnrl@nrc.gov>, <RidsOcaMailCenter@nrc.gov>, "Cristina Guerrero" <CXG3@nrc.gov>, "Brenda Davis" <BLD@nrc.gov>, <RidsOpaMail@nrc.gov>, "Thomas Kenyon" <TJK2@nrc.gov>, "Chris Nolan" <MCN@nrc.gov>, "Mark Notich" <mdn@nrc.gov>, "Osiris Siurano-Perez" <OSP@nrc.gov>, "James Wilson" <JHW1@nrc.gov>  
**Date:** 10/25/2006 10:32:07 AM  
**Subject:** Letters to Various Addressees-re: ESP Review for Vogtle Site-Inviting them to 10/19/06 Public Mtg.

Please see below.

**Hearing Identifier:** Vogtle\_Public  
**Email Number:** 210

**Mail Envelope Properties** (4607A0A2.HQGWDO01.TWGWPO04.200.200000A.1.A059F.1)

**Subject:** Letters to Various Addressees-re: ESP Review for Vogtle Site-Inviting them to 10/19/06 Public Mtg.  
**Creation Date:** 10/25/2006 10:32:07 AM  
**From:** Cheri Nagel  
**Created By:** CAN@nrc.gov

**Recipients**

<internet:erg-xl@cox.net>  
<INTERNet:pshastings@duke-energy.com>  
<INTERNet:ronald.hagen@eia.doe.gov>  
<internet:bob.brown@ge.com>  
<INTERNet:chris.maslak@ge.com>  
<INTERNet:david.hinds@ge.com>  
<Internet:james1.beard@ge.com>  
<internet:patriciaL.campbell@ge.com>  
<INTERNet:steven.hucik@ge.com>  
<Internet:tom.miller@hq.doe.gov>  
<internet:jgutierrez@morganlewis.com>  
<internet:ksutton@morganlewis.com>  
<internet:sfrantz@morganlewis.com>  
<Internet:beverly.miller@pnl.gov>  
<internet:kimberly.leigh@pnl.gov>  
<internet:michael.sackschewsky@pnl.gov>  
<INTERNet:crpierce@southernco.com>  
<INTERNet:tomccall@southernco.com>  
<internet:mark.beaumont@wsms.com>  
<jim@ncwarn.org>  
"Brian Anderson" <BCA1@nrc.gov>  
"Gerald McCoy" <GJM1@nrc.gov>  
"Kenneth Clark" <KMC2@nrc.gov>  
"Christian Araguas" <CJA2@nrc.gov>  
<RidsNrrDnrl@nrc.gov>  
<RidsOcaMailCenter@nrc.gov>  
"Cristina Guerrero" <CXG3@nrc.gov>  
"Brenda Davis" <BLD@nrc.gov>  
<RidsOpaMail@nrc.gov>  
"Thomas Kenyon" <TJK2@nrc.gov>  
"Chris Nolan" <MCN@nrc.gov>  
"Mark Notich" <mdn@nrc.gov>  
"Osiris Siurano-Perez" <OSP@nrc.gov>  
"James Wilson" <JHW1@nrc.gov>

**Post Office**  
TWGWPO04.HQGWDO01

**Route**  
nrc.gov

Files	Size
MESSAGE	19
TEXT.htm	245
ML062850139.pdf	26614
ML062850266.pdf	26947

Date & Time
10/25/2006 10:32:07 AM
3/26/2007 10:29:54 AM
3/26/2007 10:29:54 AM
3/26/2007 10:29:54 AM

ML062850347.pdf	26669	3/26/2007 10:29:54 AM
ML062850187.pdf	26797	3/26/2007 10:29:54 AM
ML062840610.pdf	26584	3/26/2007 10:29:54 AM
ML062850345.pdf	26649	3/26/2007 10:29:54 AM
ML062850260.pdf	26099	3/26/2007 10:29:54 AM
ML062850114.pdf	26822	3/26/2007 10:29:54 AM
ML062850239.pdf	26744	3/26/2007 10:29:54 AM
ML062850252.pdf	26008	3/26/2007 10:29:54 AM
ML062850244.pdf	26853	3/26/2007 10:29:54 AM
ML062850151.pdf	26790	3/26/2007 10:29:54 AM
ML062850107.pdf	26793	3/26/2007 10:29:54 AM
ML062850355.pdf	26751	3/26/2007 10:29:54 AM
ML062850078.pdf	26702	3/26/2007 10:29:54 AM
ML062850120.pdf	26781	3/26/2007 10:29:54 AM
ML062850129.pdf	26583	3/26/2007 10:29:54 AM
ML062850060.pdf	26825	3/26/2007 10:29:54 AM
ML062850067.pdf	26778	3/26/2007 10:29:54 AM
ML062850233.pdf	26711	3/26/2007 10:29:54 AM

**Options**

<b>Priority:</b>	Standard
<b>Reply Requested:</b>	No
<b>Return Notification:</b>	None
	None

<b>Concealed Subject:</b>	No
<b>Security:</b>	Standard

Please see below.

October 12, 2006

Mr. Steven Terry  
Land Resources Manager  
Miccosukee Tribe of Indians of Florida  
Real Estate Services  
Mile Marker 70  
US 41 at Admin. Bldg.  
Miami, FL 33194

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Mr. Terry:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Miccosukee Tribe of Indians of Florida. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Miccosukee Tribe of Indians of Florida to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA). Accordingly, the staff invites the Miccosukee Tribe of Indians of Florida to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850139.wpd

Accession No.: **ML062850139**

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	KWinsberg	C. Nolan
DATE	10/06/06	10/11/06	10/11/06	10/10/06	10/05/06	10/12/06

OFFICIAL RECORD COPY



Letter to Mr. S. Terry from C. Nolan, dated October 12, 2006

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE  
ADAMS Accession No. ML062850139

DISTRIBUTION:

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez, OSTP

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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. Domby, 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

October 12, 2006

Mr. Willard Steele, Deputy THPO  
Seminole Tribe of Florida  
Ah-Tah-Thi-Ki Museum  
HC 61, Box 21A  
Clewiston, FL 33440

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Mr. Steele:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Seminole Tribe of Florida. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Seminole Tribe of Florida to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA). Accordingly, the staff invites the Seminole Tribe of Florida to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and

developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the

significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850266.wpd

Accession No.: **ML062850266**

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	KWinsberg	C. Nolan
DATE	10/06/06	10/11/06	10/11/06	10/10/06	10/05/06	10/12/06

OFFICIAL RECORD COPY

Letter to Mr. W. Steele from C. Nolan, dated October 12, 2006

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE  
ADAMS Accession No. ML062850266

DISTRIBUTION:

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez, OSTP

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB



## 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

October 12, 2006

Mr. Kenneth H. Carleton  
THPO/Tribal Archaeologist  
Mississippi Band of Choctaw Indians  
P.O. Box 6257/ 101 Industrial Road  
Choctaw, MS 39350

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Mr. Carleton:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Mississippi Band of Choctaw Indians. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Mississippi Band of Choctaw Indians to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 invites the Mississippi Band of Choctaw Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects

of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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 [cvg3@nrc.gov](mailto:cvg3@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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850347.wpd

Accession No.: **ML062850347**

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	KWinsberg	C. Nolan
DATE	10/06/06	10/11/06	10/11/06	10/10/06	10/05/06	10/12/06

OFFICIAL RECORD COPY

Letter to Mr. K. Carleton from C. Nolan, dated October 12, 2006

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE  
ADAMS Accession No. ML062850347

DISTRIBUTION:

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez, OSTP

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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. Domby, 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

October 12, 2006

Mr. Chadwick Smith, Principal Chief  
Cherokee Nation of Oklahoma  
P.O. Box 948  
Tahlequa, OK 74465

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Principal Chief Smith:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Cherokee Nation of Oklahoma. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Cherokee Nation of Oklahoma to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).

Accordingly, the staff invites the Cherokee Nation of Oklahoma to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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 [cvg3@nrc.gov](mailto:cvg3@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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850187.wpd  
Accession No.: **ML062850187**  
\*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	KWinsberg	C. Nolan
DATE	09/11/06	09/19/06	09/20/06	09/19 /06	10/05/06	10/12/06

OFFICIAL RECORD COPY

DISTRIBUTION: Ltr. to the Principal Chief C. Smith, Dated: October 12, 2006

**Accession No.: ML062850187**

Docket File

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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. Domby, 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



October 12, 2006

Mr. Gilbert Blue, Chairperson  
Catawba Indian Tribe  
P.O. Box 188  
Catawba, SC 29704

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Chairperson Blue:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Catawba Indian Tribe. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Catawba Indian Tribe to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).

Accordingly, the staff invites the Catawba Indian Tribe to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062840610.wpd  
Accession No.: **ML062840610**  
\*See Previous Concurrence

OFFICE	LA:DNRL:NEPB	GS:DNRL:NEPB	PM:DNRL:NAPB	PM:DNRL:NEPB	OGC	BC:DNRL:NEPB
NAME	M. Vierra	C. Guerrero	C. Araguas	M. Notich	RWeisman	C. Nolan
DATE	09/11/06	09/14/06	09/20/06	09/19/06	10/05/06	10/12/06

OFFICIAL RECORD COPY

DISTRIBUTION: Ltr. to the Chairperson G. Blue Dated: October 12, 2006

**Accession No.: ML062840610**

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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. Domby, 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

October 12, 2006

Ms. Karen Kaniatobe  
Director of the Cultural/Historical Preservation Department  
Absentee-Shawnee Tribe of Oklahoma  
2025 S. Gordon Cooper Drive  
Shawnee, OK 74801

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Ms. Kaniatobe:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Absentee-Shawnee Tribe of Oklahoma. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Absentee-Shawnee Tribe of Oklahoma to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA). Accordingly, the staff invites the Absentee-Shawnee Tribe of Oklahoma to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site;



assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the

significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850345.wpd  
Accession No.: **ML062850345**

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	KWinsberg	C. Nolan
DATE	10/06/06	10/11/06	10/11/06	10/10/06	10/05/06	10/12/06

OFFICIAL RECORD COPY

Letter to Ms. K. Kaniatobe from C. Nolan, dated October 12, 2006

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE  
ADAMS Accession No. ML062850345

DISTRIBUTION:

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez, OSTP

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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. Domby, 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

October 12, 2006

Ms. Debbie Thomas  
Tribal Historic Preservation Officer  
NAGPRA Coordinator  
Alabama-Coushatta Tribe of Texas  
571 State Park Road, 56  
Livingston, TX 77351

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Ms. Thomas:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Alabama-Coushatta Tribe of Texas. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Alabama-Coushatta Tribe of Texas to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA). Accordingly, the staff invites the Alabama-Coushatta Tribe of Texas to consult with the staff in

this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).



At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850260.wpd  
Accession No.: ML062850260

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	KWinsberg	C. Nolan
DATE	10/06/06	10/11/06	10/11/06	10/10/06	10/05/06	10/12/06

OFFICIAL RECORD COPY

Letter to Ms. D. Thomas from C. Nolan, dated October 12, 2006

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE  
ADAMS Accession No. ML062850260

DISTRIBUTION:

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez, OSTP

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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. Domby, 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

October 12, 2006

Mrs. Joyce A. Bear, NAGPRA Contact  
Muscogee (Creek) Nation of Oklahoma  
P.O. Box 580  
Okmulgee, OK 74447

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Mrs. Bear:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Muscogee (Creek) Nation of Oklahoma. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Muscogee (Creek) Nation of Oklahoma to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).

Accordingly, the staff invites the Muscogee (Creek) Nation of Oklahoma to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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



At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850114.wpd

Accession No.: **ML062850114**

\*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

OFFICIAL RECORD COPY

DISTRIBUTION: Ltr. to the Mrs. J. A. Bear, Dated: October 12, 2006

**Accession No.: ML062850114**

Docket File

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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. Domby, 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

October 12, 2006

Mr. Dallas Proctor, Chief  
United Keetoowah Band of Cherokee Indians  
P.O. Box 746  
Tahlequah, OK 74465

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Chief Proctor:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the United Keetoowah Band of Cherokee Indians. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the United Keetoowah Band of Cherokee Indians to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).

Accordingly, the staff invites the United Keetoowah Band of Cherokee Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850239.wpd

Accession No.: **ML062850239**

\*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	KWinsberg	C. Nolan
DATE	09/11/06	09/19/06	09/20/06	09/19/06	10/05/06	10/12/06

OFFICIAL RECORD COPY



DISTRIBUTION: Ltr. to the Chief D. Proctor, Dated: October 12, 2006

**Accession No.: ML062850239**

Docket File

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

## 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

October 12, 2006

Mr. Pare Bowlegs  
Seminole Nation of Oklahoma  
PO Box 1498  
Wewoka, OK 74884

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Mr. Bowlegs:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Seminole Nation of Oklahoma. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Seminole Nation of Oklahoma to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA). Accordingly, the staff invites the Seminole Nation of Oklahoma to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850252.wpd  
Accession No.: ML062850252

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	KWinsberg	C. Nolan
DATE	10/06/06	10/11/06	10/11/06	10/10/06	10/05/06	10/12/06

OFFICIAL RECORD COPY

Letter to Mr. P. Bowlegs from C. Nolan, dated October 12, 2006

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE  
ADAMS Accession No. ML062850252

DISTRIBUTION:

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez, OSTP

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB



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. Domby, 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

October 12, 2006

Mr. Michell Hicks, Principal Chief  
Eastern Band of Cherokee Indians  
P.O. Box 455  
Qualla Boundary  
Cherokee, NC 28719

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Principal Chief Hicks:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Eastern Band of Cherokee Indians. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Eastern Band of Cherokee Indians to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).

Accordingly, the staff invites the Eastern Band of Cherokee Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850244.wpd  
Accession No.: **ML062850244**  
\*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	KWinsberg	C. Nolan
DATE	09/11/06	09/19/06	09/20/06	09/19/06	10/05/06	10/12/06

OFFICIAL RECORD COPY

DISTRIBUTION: Ltr. to the Principal Chief M. Hicks, Dated: October 12, 2006

**Accession No.: ML062850244**

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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. Domby, 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

October 12, 2006

Mr. Tarpie Yargee, Chief  
Alabama-Quassarte Tribal Town  
P.O. Box 187  
Wetumka, OK 74883

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Chief Yargee:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Alabama-Quassarte Tribal Town. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Alabama-Quassarte Tribal Town to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).

Accordingly, the staff invites the Alabama-Quassarte Tribal Town to consult with the staff in this

regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850151.wpd  
Accession No.: **ML062850151**  
\*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	KWinsberg	CNolan
DATE	09/11/06	09/19/06	09/20/06	09/19/06	10/05/06	10/12/06

OFFICIAL RECORD COPY

DISTRIBUTION: Ltr. to the Chief T. Yargee, Dated: October 12, 2006

**Accession No.: ML062850151**

Docket File

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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. Domby, 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



October 12, 2006

Mr. Charles Thurmond, NAGPRA Contact  
Georgia Tribe of Eastern Cherokee  
P.O. Box 1324  
Clayton, GA 30525

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Mr. Thurmond:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Georgia Tribe of Eastern Cherokee. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Georgia Tribe of Eastern Cherokee to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).

Accordingly, the staff invites the Georgia Tribe of Eastern Cherokee to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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  
Sincerely,

Project No. 737  
cc: See next page

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850107.wpd  
Accession No.: **ML062850107**  
\*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

OFFICIAL RECORD COPY

DISTRIBUTION: Ltr. to the Mr. C. Thurmond, Dated: October 12, 2006

**Accession No.: ML062850107**

Docket File

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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

October 12, 2006

Ms. Emma Sue Holland, NAGPRA Contact  
United Keetoowah Band of Cherokee Indians  
P.O. Box 746  
Tahlequah, OK 74465

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Ms. Holland:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the United Keetoowah Band of Cherokee Indians. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the United Keetoowah Band of Cherokee Indians to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).



Accordingly, the staff invites the United Keetoowah Band of Cherokee Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850355.wpd

Accession No.: **ML062850355**

\*See Previous Concurrence

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

OFFICIAL RECORD COPY

DISTRIBUTION: Ltr. to the Ms. E. S. Holland, Dated: October 12, 2006

**Accession No.: ML062850355**

Docket File

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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. Domby, 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

October 12, 2006

Mr. Eddie Tullis, Chairperson  
Poarch Band of Creek Indians  
5811 Jack Springs Road  
Atmore, AL 36502

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Mr. Tullis:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Poarch Band of Creek Indians. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Poarch Band of Creek Indians to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).

Accordingly, the staff invites the Poarch Band of Creek Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).



At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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 [cvg3@nrc.gov](mailto:cvg3@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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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 [cvg3@nrc.gov](mailto:cvg3@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: See next page

C:\FileNet\ML062850078.wpd  
Accession No.: **ML062850078**  
\*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

OFFICIAL RECORD COPY

DISTRIBUTION: Ltr. to the Mr. E. Tullis, Dated: October 12, 2006

**Accession No.: ML062850078**

Docket File

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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. Domby, 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

October 12, 2006

Ms. Kathy McCoy, NAGPRA Contact  
Eastern Band of Cherokee Indian  
P.O. Box 455  
Cherokee, NC 28719

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Ms. McCoy:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Eastern Band of Cherokee Indian. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Eastern Band of Cherokee Indian to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).

Accordingly, the staff invites the Eastern Band of Cherokee Indian to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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 [cvg3@nrc.gov](mailto:cvg3@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



At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850120.wpd  
Accession No.: **ML062850120**  
\*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	KWinsberg	C. Nolan
DATE	09/11/06	09/19/06	09/20/06	09/19/06	10/05/06	10/12/06

OFFICIAL RECORD COPY

DISTRIBUTION: Ltr. to the Ms. K. McCoy, Dated: October 12, 2006

**Accession No.: ML062850120**

Docket File

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

## 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. Domby, 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

October 12, 2006

Mr. John Zachary, Attorney at Law  
c/o Coushatta Tribe of Louisiana  
P.O. Box 12730  
Alexandria, LA 71315-2730

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Mr. Zachary:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Coushatta Tribe of Louisiana. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Coushatta Tribe of Louisiana to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA). Accordingly, the staff invites the Coushatta Tribe of Louisiana to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850129.wpd

Accession No.: **ML062850129**

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	KWinsberg	C. Nolan
DATE	10/06/06	10/11/06	10/11/06	10/10/06	10/05/06	10/12/06

OFFICIAL RECORD COPY



Letter to Mr. J. Zachary from C. Nolan, dated October 12, 2006

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE  
ADAMS Accession No. ML062850129

DISTRIBUTION:

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez, OSTP

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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. Domby, 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

October 12, 2006

Ms. Evelyn Bucktrot, Town King  
Kialegee Tribal Town  
P.O. Box 332  
Wetumka, OK 74883

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Ms. Bucktrot:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Kialegee Tribal Town. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Kialegee Tribal Town to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).

Accordingly, the staff invites the Kialegee Tribal Town to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850060.wpd

Accession No.: **ML062850060**

\*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

OFFICIAL RECORD COPY

DISTRIBUTION: Ltr. to the Ms. E. Bucktrot, Dated: October 12, 2006

**Accession No.: ML062850060**

Docket File

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB



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. Domby, 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.Bead@ge.com  
chris.maslak@ge.com  
jim@ncwarn.org  
pshastings@duke-energy.com  
ronald.hagen@eia.doe.gov

October 12, 2006

Ms. Gale Thrower, NAGPRA Contact  
Poarch Band of Creek Indians  
5811 Jack Springs Road  
Atmore, AL 36502

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Ms. Thrower:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Poarch Band of Creek Indians. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Poarch Band of Creek Indians to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).

Accordingly, the staff invites the Poarch Band of Creek Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850067.wpd

Accession No.: **ML062850067**

\*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

OFFICIAL RECORD COPY

DISTRIBUTION: Ltr. to the Ms. G. Thrower, Dated: October 12, 2006

**Accession No.: ML062850067**

Docket File

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

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

October 12, 2006

Mr. Louis McGertt, Town King  
Thlopthlocco Tribal Town  
P.O. Box 188  
Okema, OK 74859

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Mr. McGertt:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Thlopthlocco Tribal Town. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Thlopthlocco Tribal Town to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 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 (NHPA).

Accordingly, the staff invites the Thlopthlocco Tribal Town to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing 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 you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, 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.

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. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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 [cvg3@nrc.gov](mailto:cvg3@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

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. 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

DISTRIBUTION: See next page

C:\FileNet\ML062850233.wpd  
Accession No.: **ML062850233**  
\*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	KWinsberg	C. Nolan
DATE	09/11/06	09/19/06	09/20/06	09/19/06	10/05/06	10/12/06

OFFICIAL RECORD COPY

DISTRIBUTION: Ltr. to the Mr. L. McGertt, Dated: October 12, 2006

**Accession No.: ML062850233**

Docket File

Public

D. Matthews/B. Beckner (RidsNrrDNRS)

M. Notich

C. Nolan

C. Araguas

J. Wilson

C. Guerrero

T. Kenyon

J. Davis

O. Siurano-Perez

K. Clark, RII

G. McCoy, SRI

B. Anderson, RI

M. Sackschewsky (PNNL)

K. Leigh (PNNL)

OCA

OPA

NEPB

## 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