

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

)	
In the Matter of)	
)	Docket No. 52-011
Southern Nuclear Operating Company, Inc.)	
)	ASLB No. 07-850-01-ESP-BD01
Early Site Permit for Plant Vogtle ESP Site)	
)	May 3, 2007
)	

CERTIFICATION OF LAWRENCE D. SANDERS

Pursuant to 10 C.F.R. 2.336(c), I, Lawrence D. Sanders, hereby certify as follows:

1. I am an attorney employed by the Turner Environmental Law Clinic, located at Emory University School of Law, 1301 Clifton Road, Atlanta, Georgia 30322 and I am counsel for Intervenor in the above-captioned docket.
2. Included with this certification are the disclosures required under 10 C.F.R. § 2.336 for the Intervenor in the above-captioned docket.
3. To the best of my knowledge, the attached disclosures include all relevant materials required by 10 C.F.R. 2.336 and are accurate and complete as of the date of this certification.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: May 3, 2007

/signed (electronically) /
Lawrence D. Sanders
Turner Environmental Law Clinic
Emory University School of Law
1301 Clifton Road
Atlanta, GA 30322
(404) 727-34

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

)	
In the Matter of)	
)	Docket No. 52-011
Southern Nuclear Operating Company, Inc.)	
)	ASLB No. 07-850-01-ESP-BD01
Early Site Permit for Plant Vogtle ESP Site)	
)	May 3, 2007
)	

**DISCLOSURES OF INTERVENORS CENTER FOR A SUSTAINABLE COAST,
SAVANNAH RIVERKEEPER, SOUTHERN ALLIANCE FOR CLEAN ENERGY,
ATLANTA WOMEN’S ACTION FOR NEW DIRECTIONS, AND BLUE RIDGE
ENVIRONMENTAL DEFENSE LEAGUE**

Pursuant to 10 C.F.R. § 2.336 and the Board’s April 3, 2007 Memorandum and Order (Ruling Regarding Joint Motion on Mandatory Disclosures and Scheduling Prehearing Conference) (“April 3, 2007 Order”), Intervenor Center for a Sustainable Coast, Savannah Riverkeeper, Southern Alliance for Clean Energy (“SACE”), Atlanta Women’s Action for New Directions (“WAND”), and Blue Ridge Environmental Defense League (“BREDL”) hereby provide the required disclosures that are relevant to the Intervenor’s admitted Contentions.

1. Expert Witnesses

Pursuant to 10 C.F.R. 2.336(a)(1), the Intervenor discloses that they have engaged the following experts upon whom Intervenor intends to rely upon as a witnesses:

a. Dr. Shawn Paul Young

Dr. Young is a Post Doctoral Fellow and Adjunct Faculty member of Clemson University, Clemson, South Carolina. He is located at 261 Lehotsky Hall, Clemson University,

Clemson, SC 29634. The authority upon which Dr. Young intends to base his opinion and testimony includes the following:

- (1) Bain, M. B., and J. L. Bain. 1982. Habitat suitability index models: coastal stocks of striped bass. U.S. Fish and Wildlife Service, Office of Biological Services, Washington, D.C. FWS/OBS-82/10.1. 29 pp.
- (2) Dudley, R. G., A. W. Mullis, and J. W. Terrell. 1977. Movements of adult striped bass (*Morone saxatilis*) in the Savannah River, Georgia. Transactions of the American Fisheries Society 106:314–322.
- (3) Fay, C. W., R. J. Neves, and G. B. Pardue. 1983. Species profiles: Life histories and environmental requirements of coastal fishes and invertebrates (Mid-Atlantic) – striped bass. U.S. Fish and Wildlife, Division of Biological Services, FWSOBS-82/11.8. U.S. Army Corps of Engineers, TR EL-82-4. 36 pp.

If Dr. Young develops any additional analysis or other authority relevant to this proceeding and upon which he intends to base his opinions or testimony, Intervenor will disclose it pursuant to their continuing duty of disclosure under 10 C.F.R. 2.336(d) and the April 3, 2007 Order.

b. Barry Sulkin

Barry Sulkin is an environmental consultant who has been in private practice since 1990. He is located at 443 Pecan Valley Road, Nashville, TN 37218. Mr. Sulkin has not yet developed any analysis or authority relevant to the admitted contentions and upon which he intends to base his opinion or testimony. Pursuant to their continuing duty of disclosure under 10 C.F.R. 2.336(d) and the April 3, 2007 Order, Intervenor will disclose such information as Mr. Sulkin identifies and produces it.

2. Documents, Data Compilations, and Tangible Things

Pursuant to 10 C.F.R. 2.336(a)(2), Intervenor state that all non-privileged documents in their possession which may be relevant to the admitted contentions are publicly available. Pursuant to the April 3, 2007 Order, Intervenor herein produce a log of publicly available

documents in their possession that may be relevant to the admitted contentions (Attachment 1).

Intervenors have no data collections or tangible things relevant to the admitted contentions in their possession.

Respectfully submitted,

/signed (electronically) /
Lawrence D. Sanders
Counsel for Intervenors

ATTACHMENT 1

Vogle ESP Mandatory Disclosures Publicly Available Document Log Intervenors' Initial Disclosures – May 3, 2007

a. Documents related to existing aquatic resources in Savannah River and Plant Vogtle project area

- (1) Candidate Conservation Agreement with Assurances for the Robust Redhorse, *Moxostoma robustum*, Ocmulgee River, Georgia, Agreement No. 1448-40181-01-K-005. Available at: http://www.fws.gov/athens/robust_redhorse_ccaa.html (visited on 5/3/07).
- (2) DeMeo, T. *Report of the Robust Redhorse Conservation Committee Annual Meeting*. October 3 - 5, 2001, South Carolina Aquarium, Charleston, SC. (2001). Available at: <http://www.robustredhorse.com/f/2001AnnualMeetingReportRRCC.pdf> (visited on 5/3/07).
- (3) DeMeo, T. *Report of the Robust Redhorse Conservation Committee Annual Meeting*. Charlie Elliott Wildlife Center, Mansfield, GA. (2000). Available at: <http://www.robustredhorse.com/f/2000AnnualMeetingReportRRCC.pdf> (visited on 5/3/07).
- (4) GEORGIA POWER COMPANY, ENVIRONMENTAL LABORATORY, CONSERVATION STRATEGY FOR ROBUST REDHORSE (*MOXOSTOMA ROBUSTUM*) (2003). Available at: <http://www.robustredhorse.com/f/ConservStrategyMay62003.pdf> (visited on 5/3/07).
- (5) Hendricks, A.S. *The conservation and restoration of the robust redhorse, moxostoma robustum, Volume 1*. Report to the Federal Energy Regulatory Commission prepared by Georgia Power Company, Environmental Laboratory. Atlanta, GA. (1998). Available at: <http://www.robustredhorse.com/f/FERCReport1998.pdf> (visited on 5/3/07).
- (6) Hendricks, A.S. *The conservation and restoration of the robust redhorse, moxostoma robustum, Volume 2*. Report to the Federal Energy Regulatory Commission prepared by the Georgia Power Company, Environmental Laboratory. Atlanta, GA. (2000). Available at: <http://www.robustredhorse.com/f/FERCReportApril2000.pdf> (visited on 5/3/07).
- (7) Hendricks, A.S. *The conservation and restoration of the robust redhorse, moxostoma robustum, Volume 3*. Report to the Federal Energy Regulatory Commission prepared by the Georgia Power Company, Environmental Laboratory. Atlanta, GA. (20002). Available at: <http://www.robustredhorse.com/f/FERCReport2002.pdf> (visited on 5/3/07).
- (8) J.R. Waldman, C. Cunwald, J. Stabile & I. Wirgin, *Impacts of Life History and Biogeography on the Genetic Stock Structure of Atlantic Sturgeon Acipenser oxyrinchusdesotoi, and Shortnose Sturgeon A. brevirostrum*, 18 J. APPLIED ICHTHYOLOGY 509 (2002).
- (9) Marcy, B. C., D. E. Fletcher, F. D. Martin, M. H. Paller, and M. Reichert. 2005. *Fishes of the Middle Savannah River Basin*. The University of Georgia Press. Athens, GA.

- (10) Stephen J. Walsh, Dennis C. Haney, Cindy M. Timmerman & Robert M. Dorazio, *Physiological Tolerances of Juveniles Robust Redhorse, Moxostoma robustum: Conservation Implications for an Imperiled Species* 51 ENVTL. BIOLOGY OF FISHES 429 (1998).
- (11) T.B. Grabowski & J.J. Isely, *Spatial and Temporal Segregation of Spawning Habitat by Catostomids in the Savanna River, Georgia and South Carolina, U.S.A.*, 70 J. FISH BIOLOGY 782 (2007).
- (12) T. I. J. Smith, J. W. McCord, M. R. Collins & W. C. Post, *Occurrence of Stocked Shortnose Sturgeon Acipenser Brevirostrum in Non-Target Rivers*, 18 J. APPLIED ICHTHYOLOGY 470 (2002).

b. Documents related to impacts on aquatic resources

- (1) John Bascietto et al., *Ecotoxicity and Ecological Risk Assessment: Regulatory Applications at EPA*, 24 ENVTL. SCI. TECH. 10 (1990).
- (2) John Eric Edinger & Venkat S. Kolluru, *Power Plant Intake Entrainment Analysis*, 126 J. ENERGY ENGINEERING 1 (2000).
- (3) Jerome Diamond & Christiana Daley, *What is the Relationship Between Whole Effluent Toxicity and Instream Biological Condition?*, 19 ENVT. TOXICOLOGY & CHEMISTRY, 158 (2000).

c. Documents related to cooling technologies

- (1) C.W. Forsberg, P.F. Peterson & H. Zhao, *Sustainability and Economics of the Advanced High Temperature Reactor*, 132 J. ENERGY ENGINEERING 109 (2006).
- (2) Jonathan Black, Gregory Allen & Thomas Cool, *Alternative Cooling Water Intake Analysis Under CWA Section 316(b)*, 149 POWER 52 (2005).
- (3) Jonathan Black, Ray Tuttle, Ned Taft & Nate Olken, *Retrofitting Fish Technologies at an Existing Cooling Water Intake*, 149 POWER 40 (2005).
- (4) Stephen Amaral & Raymond Turtle, *Developing CWA Section 316(b) Fish Protection Technologies Through Laboratory and Field Evaluations*, 149 POWER 42 (2005).
- (5) Thomas F. Armistead, *New Cooling-Water Intake is Low-Cost and Fish-Friendly*, 254 ENGINEERING NEWS-RECORD 17 (2005).

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

In the Matter of)

Southern Nuclear Operating Company, Inc.)

Early Site Permit for Plant Vogtle ESP Site)
_____))

Docket No. 52-011

ASLB No. 07-850-01-ESP-BD01

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Intervenor's Initial Mandatory Disclosures have been served upon the following persons by Electronic Information Exchange and/or electronic mail.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: ocaamail@nrc.gov

Administrative Judge
G. Paul Bollwerk, III, Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: gpb@nrc.gov

Administrative Judge
Nicholas G. Trikouros
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: ngt@nrc.gov

Administrative Judge
James Jackson
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: jackson538@comcast.net

Bentina C. Terry, Esq.
Southern Nuclear Operating Company
40 Inverness Center Parkway
P.O. Box 1295, Bin B-022
Birmingham, AL 35201-1295
E-mail: bdchisol@southernco.com

Margaret Parish
Law Clerk
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: map4@nrc.gov

Brooke D. Poole, Esq.
Jonathan M. Rund, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: bdp@nrc.gov;
jmr3@nrc.gov

Office of the Secretary
ATTN: Docketing and Service
Mail Stop 0-16C1
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
E-mail: HEARINGDOCKET@nrc.gov

Kenneth C. Hairston, Esq.
M. Stanford Blanton, Esq.
Peter D. LeJeune, Esq.
Balch & Bingham LLP
1710 Sixth Avenue North
Birmingham, Alabama 35203-2014
E-mail: kchairston@balch.com;
sblanton@balch.com; plejeune@balch.com

Steven P. Frantz, Esq.
Kathryn M. Sutton, Esq.
Paul M. Bessette, Esq.
Mary Freeze
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
E-mail: sfrantz@morganlewis.com;
ksutton@morganlewis.com;
pbessette@morganlewis.com;
mfreeze@morganlewis.com

Dated: May 3, 2007

/signed (electronically) /
Lawrence D. Sanders
Turner Environmental Law Clinic
Emory University School of Law
1301 Clifton Road
Atlanta, GA 30322
(404) 727-3432