

September 10, 2007

G. Paul Bollwerk, III, Chair  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dr. James F. Jackson  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulator Commission  
Washington, D.C. 20555-0001

Nicholas G. Trikouros  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

In the Matter of  
SOUTHERN NUCLEAR OPERATING CO.  
(Early Site Permit for Vogtle ESP Site)  
Docket No. 52-011-ESP

Dear Administrative Judges:

The NRC Staff (Staff) is providing notice to the Licensing Board and the parties of the availability of NUREG-1872, *Draft Environmental Impact Statement for an Early Site Permit (ESP) at the Vogtle Electric Generating Plant Site* (Sept. 2007) (DEIS). The DEIS can be accessed electronically from the Publicly Available Records System (PARS) component of the NRC's Agencywide Document Access and Management System (ADAMS). The ADAMS accession number for Volume I of the DEIS is ML072410045 and Volume II of the DEIS is ML072410049. ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. The DEIS will also be posted on the NRC website at <http://www.nrc.gov/reactors/new-licensing/esp/vogtle.html>. Bound copies are available to members of the Licensing Board or the parties upon request. The notice of availability of the DEIS will be published in the *Federal Register* on Friday, September 14, 2007.

As observed by the Licensing Board in its Memorandum of September 7, 2007, the Staff sent the *Safety Evaluation of the Early Site Permit Application in the Matter of Southern Nuclear Operating Company, for the Vogtle Early Site Permit Site* (Aug. 2007) (SER) with open items to the applicant on August 30, 2007. However, the NRC is withholding the SER from public disclosure for 14 calendar days to allow the applicant to verify the Staff's preliminary conclusion that the document does not contain any information for which a public disclosure exemption has been sought or approved. After the 14-day proprietary review waiting period, the SER will be made publicly available in ADAMS. The Staff will notify the Licensing Board and the parties when the SER with open items is publicly available. The Staff regrets any inconvenience that

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Judge Trikouros  
Judge Jackson

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may have been caused by neglecting to mention the 14-day waiting period during the pre-hearing conference of August 1, 2007. See Tr. at 251-53 (Aug. 1, 2007).

Respectfully submitted,

/signed (electronically) by/  
Jonathan M. Rund  
Counsel for the NRC Staff

cc: M. Parish  
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