

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

DOCKETED 04/22/08

SERVED 04/22/08

G. Paul Bollwerk, III, Chairman  
Nicholas G. Trikouros  
Dr. James F. Jackson

In the Matter of

SOUTHERN NUCLEAR OPERATING CO.

(Early Site Permit for Vogtle ESP Site)

Docket No. 52-011-ESP

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

April 22, 2008

MEMORANDUM AND ORDER  
(Scheduling Prehearing Conference)

During a telephone conference conducted yesterday, the Licensing Board and applicant Southern Nuclear Operating Company (SNC), the NRC staff, and Joint Intervenors<sup>1</sup> reviewed the final details associated with the upcoming 10 C.F.R. § 2.315(a) limited appearance sessions and the visit to the Vogtle Electric Generating Plant site scheduled for Sunday and Monday, April 27 and 28, 2008. Additionally, the Licensing Board advised the parties that the Board was considering convening a prehearing conference just prior to the April 28 limited appearance session. Specifically, the Board indicated that, in light of (1) the NRC's recent public release of all non-sensitive portions of the March 31, 2008 SNC application for a combined operating license (COL) for two new reactors on the portion of the Plant Vogtle site that is the subject of this early site permit (ESP) proceeding, see NRC Office of Public Affairs, Vogtle Application for New Reactors Available on NRC Website (Apr. 15, 2008),

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<sup>1</sup> Joint Intervenors include the 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.

<http://www.nrc.gov/reading-rm/doc-collections/news/2008/08-076.html>; and (2) the recent Federal Register publication of the Commission's final policy statement regarding the conduct of new reactor licensing proceedings, see 73 Fed. Reg. 20,963 (Apr. 17, 2008), in the context of its authority to conduct the mandatory hearing for this proceeding, the Board wished to entertain presentations from SNC and the NRC staff regarding the interconnection or interaction between the COL and ESP processes as they relate to the new reactors planned for Plant Vogtle.

SNC and the staff each indicated they were prepared to provide such a presentation. Accordingly, the Board will convene a prehearing conference in this proceeding beginning at 5:00 p.m. EDT on Monday, April 28, 2008, in the DoubleTree Hotel and Convention Center, 2651 Perimeter Parkway, Augusta, Georgia,<sup>2</sup> to hear these SNC and staff presentations and provide SNC and the staff with an opportunity to respond to any questions regarding those presentations that the Board may have. Additionally, to the degree the SNC or staff presentations raise matters that are relevant to the contested portion of this proceeding, the Board will provide the Joint Intervenors with an opportunity to express their views on those matters and respond to any Board questions.

In accord with the existing schedule, the Board still anticipates beginning the Monday, April 28 limited appearance session at 7:00 p.m. EDT. Members of the public are encouraged to pre-register for that session or the Sunday, April 27 session, which is scheduled to be held from 4:00 to 6:00 p.m. EDT. The Board will continue to accept pre-registration requests through noon EDT on Friday, April 25, 2008. Pre-registration requests, which should specify the session (Sunday or Monday) during which the requester wishes to make an oral statement,

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<sup>2</sup> This prehearing conference will be conducted in the same location that is being used for the April 27 and 28 limited appearance sessions.

should be e-mailed to map4@nrc.gov and gpb@nrc.gov, or faxed to Administrative Judge G. Paul Bollwerk, III, at (301) 415-5599 (verification (301) 415-6094).

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>3</sup>

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G. Paul Bollwerk, III  
CHAIRMAN

Rockville, Maryland

April 22, 2008

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<sup>3</sup> Copies of this memorandum and order were sent this date by the agency's E-Filing system to counsel for (1) applicant SNC; (2) Joint Intervenors; and (3) the staff.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (SCHEDULING PREHEARING CONFERENCE) have been served upon the following persons by Electronic Information Exchange.

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Docket No. 52-011-ESP  
LB MEMORANDUM AND ORDER (SCHEDULING PREHEARING CONFERENCE)

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[Original signed by C.M. Pierpoint]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 22<sup>nd</sup> day of April 2008