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P-R-O-C-E-E-D-I-N-G-S

(3:03 p.m.)

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JUDGE BOLLWERK: Good afternoon everyone. This is Judge Bollwerk. We're here today for a conference call for the Vogtle Early Site Permit ESP Proceeding that the Board had called on, actually, sent around a notice on Friday afternoon. Although, we actually put a memorandum in the record this morning.

We wanted to talk about two things with the parties today. And I will get to those in a second. Let's, however, go ahead and identify the folks that are here, participating in the telephone conference.

In addition to my being in the Rockville headquarters office, Judge Trikouros is here with me, as well as Judge William J. Froehlich. Judge Froehlich is going to be an observer for the, both the limited appearance sessions and the site visit that we are doing down at -- at the Vogtle facility next week.

Judge Froehlich is one of the legal judges, full-time legal judges.

Someone just join the conference call?

MR. BLANTON: Yes, this is Stan Blanton.

JUDGE BOLLWERK: All right. You did make

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1 it, that's good.

2 MR. BLANTON: I did. Thank you all for
3 waiting on me.

4 JUDGE BOLLWERK: Okay. We just started and
5 we'll get to you in a second then.

6 Judge Froehlich is one of the full-time
7 legal judges that's recently joined the panel and is
8 going to be observing how we do things down with the
9 limited appearances, as well as a site visit for the
10 Vogtle proceeding.

11 I should also mention that joining us down
12 in -- in Augusta and on the site visit will be Judge
13 William W. Sager S-A-G-E-R. Judge Sager is a part-
14 time judge with the panel recently joined. He's a
15 professor at the Texas A&M University.

16 He, as a technical judge, he has
17 specialities in both earth sciences and oceanography.
18 And he'll be along as an observer as well and we
19 appreciate Southern being willing to have both Judge
20 Froehlich and Judge Sager accompany the Board on the
21 -- on the site visits.

22 Also, did I mention Judge Jackson is
23 joining us from Utah.

24 PARTICIPANT: No.

25 JUDGE BOLLWERK: All right. And Judge --

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1 Judge Jackson is with the -- the Board from -- from
2 his home in Utah.

3 Did I miss anybody? I think I got
4 everybody for the panel or for the Board?

5 (No response.)

6 JUDGE BOLLWERK: Okay. Let's then go ahead
7 and move on then to the representatives for Southern,
8 please.

9 MR. BLANTON: Stan Blanton. And Captain
10 Sutton should be on the line.

11 MS. SUTTON: Yes. Captain Sutton of
12 Morgan, Lewis, and Bockius. And, also, we have
13 Charles Pierce and Thomas Moorer.

14 JUDGE BOLLWERK: All right. Then for the
15 NRC staff, please.

16 MR. MOULDING: This is Patrick Moulding,
17 counsel for the NRC staff. With me is Ann Hodgdon
18 also of the Office of the General Counsel, and Mark
19 Notich, the environmental project manager with the
20 Office of New Reactors.

21 JUDGE BOLLWERK: All right. And then for
22 the Joint Intervenors, please.

23 MR. SANDERS: Lawrence Sanders.

24 JUDGE BOLLWERK: All right. Thank you, Mr.
25 Sanders.

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1 All right. What -- what I'd like to do is
2 -- is basically two things. First, quickly go over
3 the -- the final details as we have them for the both
4 limited appearances and the site visit.

5 We wouldn't normally, I normally wouldn't
6 have called a teleconference just for this purpose,
7 but since we are together, it's probably a good idea
8 to do a last check and make sure everybody is on the
9 same page.

10 If anybody has any questions to get them
11 sort of aired at this point. It'll probably make
12 things easier and a little smoother for both what
13 we're going to be doing next week.

14 In terms of the limited appearances again,
15 we're set for Sunday, April 27, from 4:00 to 6:00 p.m.
16 Eastern time, at the Doubletree Conference, Hotel and
17 Conference Center or Convention Center in Augusta.
18 The, we have gotten several preregistration requests,
19 so we anticipate we will be conducting that -- that
20 particular proceeding.

21 We have a second limited appearance
22 session for Monday, April 28, an evening session from
23 7:00 to 9:00 p.m. Eastern time, same -- same location.
24 I don't think you'll have any problems finding the
25 room.

1 I believe the -- the Convention Center has
2 several, a large convention space that they can divide
3 into sub-rooms and we'll be in a couple of those
4 rooms. And I -- and we'll have a table there with
5 markers of signs so you shouldn't have any trouble
6 locating where we'll be at.

7 We will be providing tables for the
8 parties if they wish to -- to identify themselves and
9 to listen to the limited appearances from a table up
10 in front with the Board. So that's the basic, the
11 crux of what we'll be doing with the limited
12 appearance session.

13 And we have, there's been a federal
14 register notice, as well as the, at least two press
15 releases up to this point that we -- someone just join
16 the conference?

17 MR. BLANTON: No, Judge. I think that's
18 the airport beeper beeping up. I'm going to put
19 everybody on mute where this doesn't bother you.

20 JUDGE BOLLWERK: Okay. Thank you. We've
21 had at least got two press releases have gone out. If
22 you know of anyone that's interested, we would like,
23 we prefer folks to preregister and we've given the
24 information on how to do that, so I think that
25 probably says everything we need to about the limited

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1 appearance session.

2 I should mention also as is our general
3 practice, we -- they will be transcribed and it'll be
4 made part of the larger record or the record for the
5 Vogtle ESP proceeding.

6 Any questions at this point about the
7 limited appearances?

8 (No response.)

9 JUDGE BOLLWERK: All right. Let me then
10 move on briefly to the site visit. That will be
11 Monday, April 28. We're hoping that everyone can
12 gather around 8:30 at the Visitor's Center. We will
13 kickoff from there. I think Southern is -- is
14 committed to giving us some kind of an overview
15 briefing about the site and what we'll be seeing, so
16 we'll have some contexts.

17 And I also may want to make a couple of
18 remarks about what we're, sort of from the Board's
19 perspective what we're there to accomplish and what
20 sort of ground rules we hope everyone will follow.

21 The, my understanding is that the
22 Applicant, or Southern has been provided with names of
23 all, from all the different parties, both the panel
24 and the parties. The folks that they anticipate will
25 be onsite. Again, you'll need to have a picture I.D.

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1 issued, hopefully, by a state or local authority; I'm
2 sorry, state or federal authority.

3 At this point, my understanding is that
4 the staff will have five individuals attending.

5 MR. MOULDING: This is Patrick -- Patrick
6 Moulding for the staff. Yes, that's correct, Your
7 Honor.

8 JUDGE BOLLWERK: All right. The Joint
9 Intervenors will also have five?

10 MR. SANDERS: Yes, sir.

11 JUDGE BOLLWERK: All right. And then I
12 believe the panel at this point with -- with Judge
13 Froehlich and Judge Sager along with observers will
14 actually have, along with our two law clerks, will
15 have seven members attending.

16 And I understand that -- that isn't
17 generally a problem for the bus because that's fairly
18 large and I think it holds 50 I was told. Is that
19 correct?

20 MR. PIERCE: Yes, sir, Your Honor.

21 JUDGE BOLLWERK: All right. This is Mr.
22 Pierce or is that Mr. Blanton?

23 MR. PIERCE: This is Chuck Pierce. Yes,
24 Your Honor.

25 JUDGE BOLLWERK: So that, I don't think

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1 that will be a problem. I think it may be a little
2 more of an issue, however, when we talk about the --
3 the potential boats and -- and we'll get to that in a
4 second. On, our April 14th memorandum to the parties,
5 I think we provided everybody with a list of the
6 general -- generally what the Board would like to see
7 to the extent it's practicable.

8 And I recognize that may depend to some
9 degree on what the weather is, if there's been a lot
10 of rain. Some -- some portions of the site may be
11 less accessible than others given the way we're going
12 to be traveling around.

13 But, again, anything that you can show us
14 that's on that list we'd -- we'd appreciate the
15 opportunity to see it without getting stuck in the mud
16 and basically causing problems with tow trucks and
17 other things, so.

18 But do you anticipate any problems, Mr.
19 Pierce?

20 MR. PIERCE: No, sir.

21 JUDGE BOLLWERK: Okay.

22 MR. PIERCE: We've laid out and, to cover
23 pretty much everything that we anticipate you want to
24 see and we don't anticipate any problems with the
25 route.

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1 JUDGE BOLLWERK: Okay. Mr. Blanton, did
2 you have something?

3 MR. BLANTON: I did. I just wanted to ask
4 a question about what your thinking is, Your Honor,
5 about a bad weather plan. If we -- if we get out
6 there Monday and it's pouring down rain, what do you
7 want to do?

8 JUDGE BOLLWERK: Well, I think two things.
9 First, looking at the weather, whether.com, right now
10 it looks, it looks like it's a good day, but having
11 said that, you can't really trust that at least this
12 far out.

13 So I think the, our, the option we would
14 like to see whatever we can on the site. I don't know
15 though we're going to get another opportunity to do
16 this in a near term. And so I guess we're going to
17 have to leave it to your discretion if you, unless you
18 think, given what we're trying to do that it's just,
19 if we get rain and we're simply a washout, I have to
20 rely on you because I don't know exactly where you're
21 planning on taking us.

22 MR. BLANTON: I think we're going to be
23 prepared to forge ahead and as you say, "Subject to
24 being able to get the bus where -- without getting
25 stuck," but I just wanted to make sure you were

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1 thinking in the same direction.

2 JUDGE BOLLWERK: I am and what I've simply
3 sort of warned everybody is -- is they need to keep an
4 eye on the weather and if it looks like it's going to
5 rain, make sure you have a poncho or an umbrella. I
6 think bringing an umbrella onsite is not a problem.

7 MR. BLANTON: Correct.

8 JUDGE BOLLWERK: Okay. Have -- have
9 appropriate rain gear. The weather looks at this
10 point like it'll be in the low 80s and weather.com
11 being what it is this far out and I suspect a little
12 bit humid down there even this time of the year. Is
13 that correct?

14 MR. BLANTON: It can be.

15 JUDGE BOLLWERK: Okay. So folks --

16 MR. BLANTON: Down the river bank.

17 JUDGE BOLLWERK: Okay. So folks should
18 plan on then having, you know, comfortable clothing,
19 appropriate walking shoes, and, you know, potentially
20 low 80s weather, so, with -- with some humidity.

21 In terms of, I guess we've talked a little
22 about the bus. Let me just mention the, that our
23 understanding is we're going to have two pontoon
24 boats. Is that, that what Southern has arranged for?

25 MR. BLANTON: Yes, sir.

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1 JUDGE BOLLWERK: Okay. Do you know, do
2 those have canopies on top or are they open?

3 MR. BLANTON: Chuck, do you know that?

4 MR. PIERCE: They have, I've been told that
5 they have a limited canopy, but -- but with the number
6 of people we're having, we're going to have some
7 people sit in the open.

8 JUDGE BOLLWERK: Okay. Then what that
9 suggests is think about sunblock and also think about
10 a hat because being out in the water even only for
11 probably, what are talking about, 45 minutes?

12 MR. BLANTON: Something like that.

13 JUDGE BOLLWERK: Okay. On a day with --
14 with the sun out can, you probably pick up at least a
15 nice pink -- pink rosy feeling on your face, so think
16 about that in terms of preparation.

17 In terms of the two boats, what I would
18 like to suggest and I understand each one holds ten
19 people, for one boat we would have the three Board
20 members and one of our law clerks who's going to be
21 taking some notes and then two each for the parties.
22 Two for Southern, two for the NRC staff, and two for
23 the Joint Intervenors, that's ten if I'm counting
24 correctly.

25 And then on the other boat, basically, the

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1 balance for each of the Joint Intervenors and the
2 staff, which would be three each, three from the Board
3 and one from Southern. Would that work?

4 MR. BLANTON: I think it will, Your Honor,
5 but I wasn't able to keep up with that. You may, I
6 may get you to go through that a little slower.

7 JUDGE BOLLWERK: Sure. Let me try it. One
8 boat would be the three Board members and a law clerk,
9 which is four, and then two from each of the parties,
10 two for Southern, two for the Joint Intervenors, and
11 two for the staff. That's six, which should be ten.

12 MR. BLANTON: Gotcha.

13 JUDGE BOLLWERK: Okay. On the second boat,
14 each of the Intervenors, again, the Joint Intervenors
15 and the staff each indicated they were bringing five
16 people, that would leave three for each of them, so
17 that's six. There would be three individuals for the
18 Licensing Board still involved. Basically, I think
19 Judge -- Judge Froehlich, Judge Sager, and one of the
20 other law clerks, and then one which is, that's nine,
21 and then one person for Southern.

22 MR. BLANTON: Gotcha.

23 JUDGE BOLLWERK: Does that work?

24 MR. BLANTON: That'll work. And then it's
25 my understanding that the -- the ten does not include

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1 the drivers of the boats, so we'll have boat drivers
2 on each one of those in addition to those two.

3 JUDGE BOLLWERK: Okay. And, again, all
4 folks need to think about is who they prefer to be on
5 the boat with the Board versus who they want to be on
6 the other boat, that's the bottom line, so.

7 All right. Any questions about that?

8 (No response.)

9 JUDGE BOLLWERK: Okie-doke. Let's see,
10 we've already talked about the dress and the weather.
11 Again, come prepared for an outdoor experience.
12 Potentially warm and -- and sunny, maybe a little
13 humid, and maybe you need a hat given the boats are
14 only partially covered, maybe some sunblock.

15 In terms of cameras, I think you all had
16 indicated we put in the April 14th memorandum that
17 cameras were all right, but the pictures that we're
18 taking might need to be checked if they were anywhere,
19 to make -- to make sure that nothing in the protected
20 area had been photographed that could not be seen from
21 the -- the public roadways that are in the vicinity of
22 the facility.

23 And my assumption would be that obviously
24 an electronic camera it's going to be easier to check
25 than a regular camera without removing the film. I

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1 don't know quite how you do that, so.

2 MR. BLANTON: Right. And -- and as it
3 turns out, basically, nothing, and Chuck and, correct
4 if I'm wrong, basically nothing is visible from the
5 roadway, so we, just no pictures of the protected area
6 will -- will be appropriate I think. And then, so,
7 but pictures of the, you know, undeveloped site are
8 fine.

9 JUDGE BOLLWERK: Okay. And you'll tell us,
10 let everybody know if the, where the protected areas
11 and where they shouldn't be taking pictures then?

12 MR. BLANTON: Correct.

13 JUDGE BOLLWERK: Okay. And, again, the
14 Board would appreciate it if folks would -- would heed
15 the, Southern's concerns in that regard because we
16 obviously don't want to cause them any security
17 problem, all right.

18 Any questions about cameras?

19 (No response.)

20 JUDGE BOLLWERK: All right. In terms of
21 lunch, I think that's, Southern is going to be
22 providing that. And I guess that raises a question
23 for the Board, as well as I guess the NRC staff. We
24 need to, whatever final details you have at some point
25 about how we can pay both for our transportation and

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1 for the lunch, how we do it, who we pay it to, etc.,
2 would be appreciated.

3 MR. BLANTON: Yes, sir. Now, I have asked
4 Beth Thomas at Southern Nuclear to get in touch with
5 Ms. Parish and let her know just kind of what the
6 total per head bill is on all of this and I've been
7 out of town for two or three days and I'm not sure
8 whether she's done that or not. Is -- is Meg on the
9 phone?

10 JUDGE BOLLWERK: Yes, she is.

11 MS. PARISH: I -- I haven't heard from Ms.
12 Thomas.

13 MR. BLANTON: Okay. Well, I'll -- we'll
14 get -- we'll get that going.

15 MR. PIERCE: Stan, I'll take care of that.

16 MR. BLANTON: Okay.

17 JUDGE BOLLWERK: Either an email or -- or
18 if you can just give me her number right now, we can
19 contact her. It's not a problem; however you want to
20 do it. We just want to get, you know, these are the
21 administrative details and we don't want to, want to
22 burden you with them. We just want to, we do what's
23 appropriate and move on, so --

24 MR. BLANTON: Right.

25 JUDGE BOLLWERK: When the Board gets that

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1 information, we'll pass it along to the NRC staff.

2 MR. BLANTON: We'll get that going.

3 JUDGE BOLLWERK: All right. Thank you,
4 appreciate it. I believe that covers what I had on
5 the site visit. Are there any questions that anyone
6 has?

7 MR. BLANTON: Judge, I had -- I had one
8 just to clarify something on the limited appearance
9 session. I was on mute and talking into the phone and
10 nobody could hear me.

11 JUDGE BOLLWERK: Okay.

12 MR. BLANTON: I just wanted to confirm and
13 I think I know the answer to this, but I just wanted
14 to confirm you are not looking to hear from anything
15 from the parties at the limited appearance session.
16 Is that correct?

17 JUDGE BOLLWERK: That's correct. Normally
18 that, I mean there have been instances rare in the
19 past where sometimes the Board will hear something and
20 they might ask one of the parties either to -- to talk
21 with an individual or to say something on the record,
22 but that -- that's at least from the way that I
23 conduct these the exception rather than the rule, so
24 --

25 MR. BLANTON: And that would include the --

1 the Applicant and the Intervenors I assume?

2 JUDGE BOLLWERK: That's correct. Everyone
3 is there basically including the Board to listen to
4 what the -- the members of the public have to say.

5 MR. BLANTON: Understood.

6 JUDGE BOLLWERK: All right. Judge -- Judge
7 Trikouros.

8 JUDGE TRIKOUROS: Well, I just wanted to --
9 yes, I just -- this is Judge Trikouros. I just wanted
10 to confirm that -- that we're going to start the tour
11 with a, sort of an initial briefing, an overview?

12 MR. BLANTON: Yes, sir, that's right.

13 JUDGE TRIKOUROS: Okay.

14 MR. BLANTON: If you would, I think Chuck
15 Pierce probably has in front of him a little itinerary
16 that we've prepared. And, Chuck, if you, if I put you
17 on the spot and you don't have it, I can probably do
18 it from memory, but why don't you run through sort of
19 the schedule for the site visit?

20 MR. PIERCE: Right. I don't have the
21 itinerary in front of me, but I can go through it
22 pretty quick. Of course, we will convene at 8:30 at
23 the Visitor's Center. And at that point in time we
24 intend to go through a -- a brief safety discussion
25 and a -- and a discussion of the layout of the plant

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1 discussing where we intend to, what we intend to
2 visit, and a brief discussion as well on hydrology as
3 been requested.

4 Then we would -- we would, by bus, we
5 would go to the river and actually take the boats.
6 That'll be the first thing we do to the intake
7 structure, the new intake structure area. We do that
8 then return and our -- our intent is -- is to, from
9 that point once we get back is if there's anybody that
10 didn't make the river trip -- trip we'd pick them up
11 at the intake -- at the Visitor's Center and then
12 convene on a -- on a route that would just take us
13 around by the -- the specific areas of interest that
14 the Board has asked to see.

15 At the -- at the conclusion of that, of
16 that trip, we would take, bring you back to the
17 Visitor's Center. We -- we do plan somewhere in the
18 order of about eight to nine stops at this point in
19 time. We can -- we can, you know, increase them or
20 decrease them depending on the time that we have, but
21 we would like to -- we're looking to being back to the
22 Visitor's Center by about 11:30 to noon for lunch.

23 MR. BLANTON: And we'll have refreshments
24 and -- and water bottles and that kind of thing on the
25 boat and the bus in case people get hot, you know, in-

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1 between starting and lunch.

2 JUDGE BOLLWERK: All right. Well, I
3 appreciate that, thank you. So you're anticipating
4 that we'll probably be done on the site by 1:00-1:30
5 depending on how long, you know, with the actual tour
6 runs.

7 MR. PIERCE: This is Chuck Pierce. Yes,
8 sir.

9 JUDGE BOLLWERK: All right. We had asked
10 if it's possible to be done by 2:00 and it sounds like
11 you're well within that -- that timeframe, so I think
12 that will work. All right. Appreciate it. Again, we
13 appreciate very much you putting this together for us.

14 Any other, any questions or concerns,
15 issues that any of the parties have at this point
16 about the site visit or the limited appearances?

17 MR. PIERCE: One -- one thing I did not
18 think -- this is Chuck Pierce again. One thing I did
19 not think to mention, but I'll just ask. If anybody
20 has any dietary restrictions for lunch, it may be
21 something worth, just -- just passing on by emails, we
22 can accommodate those if there are any.

23 JUDGE BOLLWERK: Who -- who do they need to
24 email?

25 MR. PIERCE: They can email Stan Blanton

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1 and he'll take care of it.

2 JUDGE BOLLWERK: All right. And if there
3 any changes between now and next weekend with respect
4 to who's attending, who should that be directed to at
5 Southern?

6 MR. BLANTON: You can, Chuck, the only
7 hesitation I have about telling anybody to email me is
8 that I am not sure what kind of Internet service I
9 have where I'm headed. They can either send it to
10 you, Chuck, or Kathryn, either one probably would be
11 a safer bet.

12 MS. SUTTON: Yes, you can send it to -- to
13 me, ksutton@morganlewis.com and I'll make sure to
14 coordinate immediately with Chuck.

15 JUDGE BOLLWERK: All right. So that means
16 any dietary restrictions on terms of a meal or any
17 changes in attendance should be sent to Ms. Sutton.
18 And if you would also why don't you send a copy to --
19 to the Board, maybe make Parish our law clerk just so
20 we know what -- what to anticipate.

21 But, again, everybody does need an I.D. to
22 get on to site, onto the site, that would be
23 important. All right? Any other questions, problems,
24 concerns on anybody's part?

25 MR. MOULDING: This is Patrick Moulding for

1 the -- for the staff. I just had a brief followup
2 question about the -- the process for reimbursing the
3 applicant for our share of the -- the transportation
4 costs.

5 JUDGE BOLLWERK: Okay.

6 MR. MOULDING: It's still the plan to, I
7 guess, write a -- write a check from the various
8 program offices in advance of the -- the site tour
9 once we get those final numbers from the Applicant.

10 JUDGE BOLLWERK: That's what we're hoping,
11 although, we're kind of waiting to hear from them in
12 terms how they can, what kind of payment they can
13 handle, and how it has to be done, who it has to be
14 made out to, who it needs to get to, all that sort of
15 detail.

16 MR. MOULDING: Okay. The staff
17 administrative -- administrative folks been wanting me
18 to clarify that if we knew any -- anything more about
19 that process.

20 JUDGE BOLLWERK: Okay. We -- we were going
21 to -- we'll get whatever details we can. I mean I
22 think from our perspective, we're hoping to put it on
23 our travel and get reimbursed for it, but I don't
24 know, we'll have to see how, how Southern wants to
25 handle it, so, in terms of who pays who when.

1 MR. MOULDING: Thank you, Your Honor.

2 JUDGE BOLLWERK: Okay. Thank you.
3 Anything else from anyone on the site visit or limited
4 appearances?

5 MR. BLANTON: I would -- I would say I
6 don't want this to be an after you, you know, after
7 you deal, but, you know, I think from Southern's
8 standpoint, whatever is easiest for the NRC in terms
9 of reimbursement is fine with us.

10 JUDGE BOLLWERK: Okay.

11 MR. PIERCE: Judge, sir, we -- this is
12 Chuck Pierce. We were, I was looking at possibly just
13 -- just sending an invoice to the ASLBP and the staff
14 and letting it go through an invoice road. We can
15 certainly do it for the fact that that's what is
16 desired.

17 JUDGE BOLLWERK: Okay. Well, I think the
18 thing to do is to have Ms. Parish talk with -- with
19 your contact and sort of present what you'd like to
20 see, let us walk -- work with our folks here and talk
21 with the staff, see what we can work out, and then
22 we'll get back to you. I think just communication
23 here I think can -- can solve this problem, so.

24 MR. PIERCE: All right. Thank you, sir.

25 JUDGE BOLLWERK: All right, appreciate it.

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1 All right. Did you have a number for, Ms. Parish, to
2 call or you want to have your person contact her?

3 MR. PIERCE: If you can just give me that
4 number, I'll -- I'll have the individual call me.

5 JUDGE BOLLWERK: Okay.

6 MS. PARISH: It's 301-

7 MR. PIERCE: Okay.

8 MS. PARISH: 415-8115.

9 MR. PIERCE: Okay. Thank you.

10 JUDGE BOLLWERK: All right. All right. If
11 nothing else on the site visit or limited appearances,
12 let me then move on to the -- the second and I guess
13 the real reason for this call. The, last Wednesday,
14 the Board received notice that the -- the Combined
15 Operating License Application, I'll call it the "COLA"
16 for short, for the Vogtle facility had been publically
17 released by the Commission, put onto the Commission's
18 website.

19 And then last Thursday, which would be the
20 17th I believe, we saw the Commission's final policy
21 statement on the conduct from the reactor licensing
22 proceedings. And in looking at the policy statement
23 and being aware that the COLA -- the Combined
24 Operating License Application for Vogtle was now on
25 the public record.

1 think that's a good idea, Your Honor. I'd like to
2 know more about what you're thinking you would like to
3 hear. We certainly have some -- some ideas about how
4 we think the -- the ESP process should continue and
5 how the COLA process should continue in light of the
6 final policy statement.

7 I'm not sure how long it'll take to convey
8 that information and I'm not sure it's all necessarily
9 combined -- confined to the mandatory hearing part of
10 the -- of the proceeding, but I think in general,
11 we've -- we've already talked about that and know what
12 we would say.

13 JUDGE BOLLWERK: All right. Do you have
14 any, do you have any sense would you make a, simply an
15 oral presentation? Would you use any slides or
16 anything like that? Any AV that we would need to take
17 care of?

18 MR. BLANTON: I think right now I wouldn't
19 choose to do anything other than just make a short
20 oral presentation, Your Honor.

21 JUDGE BOLLWERK: Okay. And how long do you
22 think it would take from Southern's perspective?

23 MR. BLANTON: Without having talked to the
24 co-counsel, don't hold me to this, but I would think
25 15 or 20 minutes.

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1 JUDGE BOLLWERK: All right. So let's say
2 half an hour for on the long side?

3 MR. BLANTON: Yes. Yes, sir.

4 JUDGE BOLLWERK: All right. All right.
5 Let me then hear whatever the staff has to say on this
6 subject.

7 MR. MOULDING: This is Patrick Moulding for
8 the staff, Your Honor. I think a new presentation
9 from the staff would be of similar -- of similar
10 length and would probably focus I would guess more on
11 the mandatory hearing aspects with respect to the --
12 the ESP.

13 I would have to discuss further with the
14 counsel who would be handling the -- the COL aspects
15 since those will not necessarily be the same attorneys
16 from -- from the General Counsel's office and there
17 would be different staff project manager involved as
18 well.

19 JUDGE BOLLWERK: All right. But you think
20 it's something you could make a presentation a week
21 from today basically?

22 MR. MOULDING: Yes, Your Honor, I believe
23 we could certainly discuss those -- those general
24 issues.

25 JUDGE BOLLWERK: All right. And you think

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1 also about a half an hour for the staff, so that we're
2 up to an hour approximately.

3 MR. MOULDING: Yes, I think that would
4 probably be -- probably less than half an hour for --
5 for the NRC staff.

6 JUDGE BOLLWERK: All right. Well, let's
7 say, we'll be on the -- the generous side here and say
8 half an hour for each, so that's, we're up to an hour
9 now. I had sort of envisioned this as being
10 potentially a mandatory hearing issue, but Mr. Blanton
11 has mentioned the possibility that he may be
12 discussing the contested case as well.

13 Mr. Sanders, is there anything you want to
14 say about that?

15 MR. SANDERS: I'm mostly curious just to --
16 to hear the presentation than to hear what -- what the
17 plan going forward is going to be. I don't think we
18 would have anything to say on the contested portion of
19 the -- of the -- of the proceeding at -- at this
20 hearing on Monday, or next Monday -- next Monday, yes.

21 JUDGE BOLLWERK: All right. And you are
22 aware of the public release of the COLA application I
23 take it?

24 MR. SANDERS: Right, yes.

25 JUDGE BOLLWERK: Okay. All right. Well,

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1 I guess it sounds like then that the at a minimum the
2 staff and the Applicant are prepared in the context of
3 the mandatory hearing and perhaps to some degree in
4 the context of the contested case to -- to provide the
5 Board with a presentation on the interaction or
6 interface, however you want interconnection, between
7 the COLA process and the ESP process lasting
8 approximately an hour.

9 I suspect the Board may have some
10 questions. If I, if we were to schedule this for
11 5:00, would that give the parties you think enough
12 time to get back from the site visit, freshen up a
13 little bit, at least wash the sunscreen off, and be --
14 be available at 5:00 to start -- start a pre-hearing
15 conference?

16 MR. BLANTON: Thinking about travel times,
17 -- Your Honor, this is Stan Blanton, thinking about
18 travel times I think that -- that'll be fine.

19 JUDGE BOLLWERK: All right. Anything from
20 the staff in terms of 5:00?

21 MR. MOULDING: This is Patrick Moulding for
22 the staff. No, I think if the applicant thinks that
23 the travel time is adequate we -- we can support that.

24 MR. BLANTON: It's going to take us a half
25 an hour to get back from, or maybe 45 minutes, to get

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1 back from the plant to -- to Augusta.

2 JUDGE BOLLWERK: All right. And --

3 MR. BLANTON: So if you can back it -- back
4 it out from there.

5 JUDGE BOLLWERK: Right, so if we leave the
6 site by 1:00, between 1:00 and 2:00, we should be back
7 in there in the vicinity, Augusta vicinity, by 2:00 to
8 3:00 and that still leaves us between two and three
9 hours, so.

10 MR. BLANTON: Right.

11 JUDGE BOLLWERK: I also want to make sure
12 everybody gets an opportunity if they need to eat
13 something because once we, I'm not sure depending on
14 how long the pre-hearing conference takes, we'll have
15 an opportunity for much of a break between the pre-
16 hearing conference and the limited appearance
17 statement. That may depend on how long they take, so
18 and I can't, I'm having a little trouble judging that
19 at this point, so.

20 Anything the Intervenor wants to say in
21 respect in terms of travel time?

22 MR. SANDERS: No, thanks. It all sounds
23 perfectly doable to me.

24 JUDGE BOLLWERK: All right. All right,
25 then why don't we plan then on, and we'll go ahead and

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1 put out notices and probably an additional press
2 release given this would be a public proceeding on
3 holding then a pre-hearing conference we'll start at
4 5:00 on Monday evening running between an hour, an
5 hour and a half, two hours at the max obviously. We
6 would like to start the limited appearance sessions on
7 time if we can, if we can do so.

8 And we will, the subject for discussion
9 then would be the -- the interface, interaction,
10 interconnection, however you want to put it, between
11 the -- the COLA process, the Combined Operating
12 License Application process and the Early Site Permit
13 process. Why don't we have the Applicant if they
14 would be so kind to -- to make the initial
15 presentation?

16 MR. BLANTON: Yes, sir.

17 JUDGE BOLLWERK: The staff then can provide
18 whatever additional information they have. And at
19 this point, I see this in the context of the mandatory
20 hearing process, but depending on what issues are
21 raised and how the discussion goes, if there are
22 matters that deal with a contested case, we would be
23 prepared to entertain any statements that the Joint
24 Intervenors might need to make.

25 MR. SANDERS: I'd appreciate that.

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1 JUDGE BOLLWERK: All right. If it turns
2 out, Mr. Blanton, that Southern wants to do anything
3 in terms of AV, do any slides, or anything like that,
4 if you could contact us and let us know as soon as
5 possible, so that we can -- we can make arrangements
6 or you can, put you in contact with the Doubletree to
7 make arrangements to get whatever additional AV -- AV
8 equipment you might need.

9 MR. BLANTON: I will, Your Honor. As we
10 sit here and talk it does occur to me that a slide
11 that shows in general what we perceive the, where we
12 are in the ESP proceeding superimposed on where we see
13 the -- the schedule for the COLA going might be
14 helpful just in terms of putting things in context.
15 Now, I don't know that we need to put that on audio
16 visual if the Board is okay with having just a hard
17 copy of a slide to look at as we -- as we discuss
18 that.

19 JUDGE BOLLWERK: All right. The one thing
20 we would ask if you're going to do that, try to make
21 enough copies obviously for the parties, the Board,
22 and potentially some additional copies that would be
23 available for members of the public that might --
24 might decide to come.

25 MR. BLANTON: We'll certainly do that.

1 JUDGE BOLLWERK: All right. If that should
2 change in any way, why don't you use Ms. Parish as
3 your -- your contact. If there's anything you need in
4 terms of AV support, anything changes, just let us
5 know.

6 We have arranged for the -- for the room
7 to have microphones for -- for the parties and the
8 Board obviously, as well as obviously for the folks
9 making limited appearances, so there shouldn't be any
10 problems in terms of an AV system and microphones, but
11 in terms of anything like a slide projector or
12 anything like that we would need to add it, so if you
13 can let us know we'd appreciate it.

14 MR. BLANTON: We'll do that.

15 JUDGE BOLLWERK: All right. All right. At
16 this point then let me see is there anything then that
17 the parties have to raise for the Board at this point?

18 (No response.)

19 JUDGE BOLLWERK: Anything for Southern?

20 MR. BLANTON: No, sir.

21 JUDGE BOLLWERK: All right. Anything from
22 the staff?

23 MR. MOULDING: No, Your Honor.

24 JUDGE BOLLWERK: All right. Joint
25 Intervenors, anything?

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1 MR. SANDERS: Nothing.

2 JUDGE BOLLWERK: All right. Let me check
3 and see if any of the Board members have anything they
4 want to raise. Judge Trikouros, Judge Jackson.

5 JUDGE JACKSON: This is Judge Jackson, no.

6 JUDGE BOLLWERK: All right. Then I think
7 that concludes our business for this afternoon. I
8 hope everyone has a safe trip to Augusta. We're
9 looking forward to meeting with you and seeing the
10 site next week.

11 And at this point, we'll consider the pre-
12 hearing conference to be adjourned.

13 (Whereupon, the proceeding in the above-
14 entitled matter concluded at 3:36 p.m. on April 21,
15 2008.)

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CERTIFICATE

This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission in the matter of: Southern Nuclear Operation Company

Name of Proceeding: Pre-hearing Conference

Docket Number: 52-011-ESP

Location: (telephone conference)

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and, thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.



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