

August 14<sup>th</sup>, 2008

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 Regulatory 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, *Final Environmental Impact Statement for an Early Site Permit (ESP) at the Vogtle Electric Generating Plant Site* (Aug. 2008) (FEIS). The FEIS 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 FEIS is ML082240145 and Volume II of the FEIS is ML082240165. An amendment to Appendix F of Volume II (providing correspondence referenced in Appendix F but for which copies were omitted in the bound volume) is available at ML082260203. ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. The FEIS will also be posted on the NRC website at <http://www.nrc.gov/reactors/new-licensing/esp/vogtle.html>. In addition, bound copies have been mailed today to the recipients listed on the attached Certificate of Service. Consistent with the date previously identified by the Staff, the notice of availability of the FEIS will be published in the *Federal Register* on Friday, August 22, 2008.

In accordance with the Licensing Board's April 3, 2007 Order, following issuance of the FEIS, the parties' obligation to disclose information or documents will revert to the 14-day update period required by 10 C.F.R. § 2.336(d). See *Southern Nuclear Operating Co. (Early Site Permit for Vogtle ESP Site)*, Memorandum and Order (Ruling Regarding Joint Motion on

Judge Bollwerk  
Judge Trikouros  
Judge Jackson

- 2 -

August 14<sup>th</sup>, 2008

Mandatory Disclosures and Scheduling Prehearing Conference), slip op. at 3-4 (Apr. 3, 2007). As noted above, the *Federal Register* notice of availability of the FEIS will be published on August 22, 2008. However, to conservatively account for the earlier distribution of the FEIS to the parties, the Staff intends to provide its next required update to the hearing file in this proceeding on or before August 28, 2008, unless the Licensing Board instructs otherwise.

Respectfully submitted,

**/signed (electronically) by/**

Patrick A. Moulding  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, DC 20555-0001  
(301) 415-2549  
Patrick.Moulding@nrc.gov

Dated at Rockville, Maryland  
This 14<sup>th</sup> day of August, 2008

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated August 14<sup>th</sup>, 2008, have been served upon the following persons by Electronic Information Exchange this 14<sup>th</sup> day of August, 2008:

Administrative Judge  
G. Paul Bollwerk, III, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
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-3F23  
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-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: jackson538@comcast.net)

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

Emily Krause  
Law Clerk  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: emily.krause@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)

Diane Curran, Esq.  
Harmon, Curran, Spielberg &  
Eisenberg, LLP  
1726 M Street, NW  
Suite 600  
Washington, DC 20036  
(E-mail: dcurran@harmoncurran.com)

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

Lawrence D. Sanders, Esq.  
Turner Environmental Law Clinic  
Emory University School of Law  
1301 Clifton Road  
Atlanta, GA 30322  
(E-mail: lsanders@law.emory.edu)

Moanica Caston, Esq.  
Southern Nuclear Operating Co., Inc.  
40 Inverness Center Parkway  
P.O. Box 1295, Bin B-022  
Birmingham, AL 35201-1295  
(E-mail: mcaston@southernco.com)  
Copy provided by e-mail only

Jeffrey Stair, Esq.  
Georgia Public Service Commission  
244 Washington Street  
Atlanta, GA 30334  
(E-mail: jeffreys@psc.state.ga.us)  
Copy provided by e-mail only

**/signed (electronically) by/**  
Patrick A. Moulding  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, DC 20555-0001  
(301) 415-2549  
Patrick.Moulding@nrc.gov