

Southern Nuclear
Operating Company, Inc.
40 Inverness Center Parkway
Birmingham, Alabama 35242



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ND-09-0388

U.S. Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555-0001

Southern Nuclear Operating Company
Vogtle Electric Generating Plant Units 3 and 4
Response to Regulatory Issue Summary 2009-03

Ladies and Gentlemen:

On February 12, 2009, the U.S. Nuclear Regulatory Commission (NRC) issued Regulatory Issue Summary (RIS) 2009-03, *Process for Scheduling Acceptance Reviews of New Reactor Licensing Applications After April 2009 and Process for Determining Budget Needs for Fiscal Year 2011*. This RIS requests all future applicants for an early site permit (ESP), limited work authorization (LWA), standard design certification (DC), or combined license (COL) submit information with respect to intent to submit applications after April 2009. The enclosure to this letter provides Southern Nuclear Operating Company's (SNC's) response to RIS 2009-03.

If you have any questions or require additional information regarding this matter, please contact me at (205) 992-7872.

Respectfully submitted,

SOUTHERN NUCLEAR OPERATING COMPANY

A handwritten signature in black ink that reads "Charles R. Pierce". The signature is written in a cursive style.

Charles R. Pierce

CRP/BJS/dmw

Enclosure: Response to NRC Regulatory Issue Summary 2009-03 for Southern Nuclear Operating Company

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NRO

cc: Southern Nuclear Operating Company

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Nuclear Regulatory Commission

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Southern Nuclear Operating Company

ND-09-0388

Enclosure

**Response to NRC Regulatory Issue Summary 2009-03
for Southern Nuclear Operating Company**

SNC's response to NRC RIS 2009-03 is as follows:

NRC Request:

- 1) The staff is seeking notification regarding the number of ESP, LWA, DC, COL applications, and any other licensing requests, as well as their complexity, expected to be submitted in FY 2011 no later than 30 days from the date of this RIS. This information will assist the staff in determining FY 2011 budget needs.

SNC Response:

At this time SNC plans to apply for a COL at an unnamed 'greenfield' site in the late 2011 timeframe.

NRC Request:

- 2) To ensure that the NRC can effectively schedule resources and to facilitate achievement of an acceptance review of 60 calendar days, the staff requests that, 90 days before the expected submission date, an applicant or licensee (as applicable) declare the expected submission date (month, day, year) and the degree of complexity of each of its ESP, LWA, DC, and partial or complete COL applications or licensing action requests that it intends to submit to the NRC.

SNC Response:

SNC intends to file a Limited Work Authorization (LWA) request in the VEGP Units 3 and 4 Combined License Application (COLA) in May 2009 to allow for reinforcing bar installation and concrete placement for the Nuclear Island foundation slab prior to receipt of a Combined License. The request is not considered to be complex as the information needed to conduct this review is primarily incorporated by reference from the VEGP Units 3 and 4 Early Site Permit Application as well as the Westinghouse AP1000 Design Control Document. The decision to pursue this additional LWA in conjunction with the Vogtle Units 3 and 4 COLA was arrived at based on recent input from the NRC staff.

NRC Request:

- 3) In addition, the NRC staff is requesting the voluntary submission of addressee construction plans and schedules for fabrication of large components and modules to the NRC when available.

SNC Response:

Much of the scope of this request is considered proprietary to Westinghouse and Shaw Nuclear. Knowing that, to begin addressing this need, SNC met with NRC Region II and NRR in a closed meeting in Atlanta, Ga. on August 19, 2008. In that meeting, SNC provided the near-term scope, locations, and schedules for engineering, procurement and construction activities. Such areas as module fabrication and assembly were also discussed. An agreement was reached that SNC would arrange closed meetings on about a quarterly basis to provide ongoing details of our program until a detailed schedule can be developed and a more formal process can be established. SNC has since had regular phone calls providing an update to this information. Unless the NRC requests more frequent updates or another process, SNC plans to continue using these updates to provide this information on a quarterly basis for the near-term. Also, as directed by the NRC, SNC plans to contact NRC Region II with any more significant information between updates.