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March 25, 2009

# **VIA FEDERAL EXPRESS**

Lawrence D. Sanders, Esq. Turner Environmental Law Clinic Emory University School of Law 1301 Clifton Road Atlanta, GA 30322 Patrick A. Moulding, Esq. U.S. Nuclear Regulatory Commission Office of the General Counsel 1155 Rockville Pike, Stop O-15 D21 Washington, D.C. 20852-0001

Re:

Twenty-Fifth Supplemental Disclosures Pursuant to 10 CFR § 2.336 for Contentions EC 1.2 and EC 1.3 Admitted on March 12, 2007, and Contention EC 6.0 Admitted on October 24, 2008 (LBP-07-03); Southern Nuclear Operating Co. (Early Site Permit for Vogtle ESP Site), Docket No. 52-011-ESP

Dear Messrs. Sanders and Moulding:

Pursuant to 10 CFR § 2.336 and the agreement between the parties as set forth in the Atomic Safety and Licensing Board's ("ASLB") Order of April 3, 2007 regarding mandatory disclosures ("April 3 Order"), Southern Nuclear Operating Company, Inc. ("Southern Nuclear") is providing the attached twenty-fifth supplemental disclosures regarding Contentions EC 1.2 and EC 1.3 admitted by the ASLB's Order of March 12, 2007, and Contention EC 6.0 admitted by the ASLB's Order of October 24, 2008. Attached is a supporting affidavit of Mr. Wesley A. Sparkman, Southern Nuclear's Vogtle Deployment COL Project Engineer.

## **Documents and Data Compilations:**

Attachment A provides a description of additional documents in the possession, custody, or control of Southern Nuclear that are relevant to the admitted contentions. Southern Nuclear is still in the process of reviewing each document identified in Attachment A to confirm whether or not they contain proprietary or privileged information. We will make those final determinations only as you request copies of specific documents. Thus, Attachment A may be over-inclusive in some respects in that it may include documents that are not discoverable based on 10 CFR § 2.336 or the ASLB's April 3 Order.

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Lawrence D. Sanders, Esq. Patrick A. Moulding, Esq. Page 2 March 25, 2009

These disclosures include a draft proprietary letter regarding the potential maintenance of the Savannah River navigation channel. Southern Nuclear is disclosing this letter, notwithstanding that it has not been finally approved by Southern Nuclear and therefore is not discloseable pursuant to the Board's April 3 Order because the subject of the draft was discussed in the contested hearing last week.

Sincerely,

K.C. Hairston

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KCH:dkf Attachment

# Vogtle ESP Southern Nuclear

Document No.	Beginning Bates	Ending Bates	Document Name	Document Date	Source	Document Type	Proprietary
SNC838	TBD	TBD	E-mail from Jessica Joyner to Anthony Dodd with attached Monthly Surface Water Withdrawal Report.	3/9/2009	Southern Nuclear	E-mail/Report	
SNC839	TBD	TBD	E-mail from Matthew Montz to Anthony Dodd with attached "Impingement and Entrainment at the River Water Intakes of the Savannah River Plant" report and "Impingement and Entrainment of Fishes at the Savannah River Plant" report.	3/12/2009	Southern Nuclear	E-mail/Report	
SNC840	TBD	TBD	E-mail from Matthew Montz to Anthony Dodd with attached annual reports on Savannah River Aquatic Ecology.	3/12/2009		E-mail/Report	·
SNC841	тво	TBD	E-mail from Shirley Vargesko to Dale Lloyd, et al. with attached transmittal letter and draft request to restore and maintain the Savannah River navagation channel in support of Plant Vogtle Units 3 & 4.		Westinghouse	Letter	YES
SNC842	TBD	TBD	E-mail from Norman Boyter to Dale Lloyd regarding barge ready date.	3/7/2009	Westinghouse	E-mail	

#### UNITED STATES OF AMERICA

#### **NUCLEAR REGULATORY COMMISSION**

## Before the Atomic Safety and Licensing Board

In the Matter of	) Docket No. 52-011-ESP
Southern Nuclear Operating Company	ASLBP No. 07-850-01-ESP-BD01
(Early Site Permit for Vogtle ESP Site)	) March 25, 2009

# CERTIFICATION OF THE TWENTY FIFTH SUPPLEMENTAL DISCLOSURES AFFIDAVIT OF WESLEY A. SPARKMAN

COUNTY OF SHELBY				
	)			
STATE OF ALABAMA	)			

I, **WESLEY A. SPARKMAN**, being duly sworn according to law, depose and state the following:

I am the Vogtle Deployment COL Project Engineer for Southern Nuclear Operating Company, Inc. ("Southern Nuclear"). My business address is 42 Inverness Center Parkway, Birmingham, Alabama 35242. I am authorized to provide this certification on behalf of Southern Nuclear.

To the best of my knowledge, information and belief, Southern Nuclear's Twenty Fifth Supplemental Disclosure in the above captioned proceeding contains all materials required to be disclosed by 10 C.F.R. § 2.336, as modified by the Atomic Safety and Licensing Board's Orders of April 3, 2007 and October 24, 2008 (Ruling Regarding Joint Motion on Mandatory Disclosures and Scheduling Prehearing Conference), that were identified as relevant through a search of the information and documentation reasonably

available to and under the possession, custody, or control (including its applicable affiliates and contractors) of Southern Nuclear. Further, to the best of my knowledge, information and belief, and based on the review of information and documentation currently reasonably available to and under the possession, custody, or control of Southern Nuclear, these disclosures are accurate and complete as of this date.

Further, the affiant sayeth not.

Sworn to and subscribed before me this 25th day of Marc

My Commission Expires 12/29/2010