

December 23, 2009

Mr. Don Klima, Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Avenue, NW, Suite 809
Washington, DC 20004

SUBJECT: REQUEST FOR INFORMATION ON HISTORIC PROPERTIES WITHIN THE
AREA UNDER EVALUATION FOR THE VOGTLE ELECTRIC GENERATING
PLANT, UNITS 3 AND 4 COMBINED LICENSE APPLICATION REVIEW

Dear Mr. Klima:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Southern Nuclear Operating Company, Inc. (Southern or SNC), on behalf of itself and several co-applicants, for a combined license (COL) for construction and operation of two new nuclear units at its Vogtle Electric Generating Plant (Vogtle or VEGP) site in Burke County, Georgia. The purpose of this letter is to initiate consultation for the subject project with the Advisory Council on Historic Preservation (ACHP) pursuant to U.S. Nuclear Regulatory Commission (NRC) regulations at 10 CFR 51 and Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. The NRC plans to coordinate compliance with Section 106 of the NHPA using the National Environmental Policy Act (NEPA) of 1969, as amended, process identified in 36 CFR 800.8(c) in lieu of the procedures set forth in §§ 800.3 through 800.6. Additionally, the NRC staff will rely on procedures in its regulations at 10 CFR 51.92 for supplementing a final environmental impact statement (FEIS).

Section 51.26(d) of the NRC regulations describes the processes for determining the need to supplement an FEIS, issue a notice of intent and determine whether a formal scoping process will be conducted. NRC staff will prepare a supplement to the FEIS for the early site permit (ESP) issued on August 26, 2009, as required by 10 CFR 51.92. In this case, the NRC staff has determined that it will not conduct a formal scoping process for the development of the SEIS.

An ESP is a Commission approval of a site suitable for construction and operation of one or more new nuclear units. Therefore, a COL applicant referencing an ESP need not submit information or analyses regarding environmental issues that were resolved in the ESP EIS, except to the extent the COL applicant has identified any new and potentially significant information.

In accordance with the provisions in 36 CFR § 800.8, the NRC wishes to ensure that if your agency has an interest in any potential historic properties in the area of potential effect (APE), it will be afforded the opportunity to identify its concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

Thus, to support the NRC staff's review of any new and potentially significant circumstances or information relevant to the environmental concerns related to the proposed action or its impacts, we request that you submit written comments, if any, you may have to offer on the environmental review of the COL by January 19, 2010.

The NRC intends to propose measures in the SEIS for the COL analyses for potential impacts to historical and cultural resources including developing alternatives and proposing measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. To complete consultation under § 800.8, the NRC staff will forward the SEIS on the COL to you for your review and comment, and will address your comments in the final SEIS on the COL.

The proposed new reactors, Vogtle Units 3 and 4, would be located approximately 26 miles southeast of Augusta, Georgia, near the town of Waynesboro, Georgia. SNC currently operates two reactors, Vogtle Units 1 and 2, on the site and plans to construct the new units adjacent to the existing reactors. The application for the COL was accepted for docketing on May 30, 2008, and is available through the web-based version of the NRC Agency-wide Documents Access Management System (ADAMS), which can be found at <http://www.nrc.gov/readingrm/adams.html>. The Environmental Report for the application is listed under ADAMS accession number ML081050181. The Vogtle Plant COL application is also available on the Internet at <http://www.nrc.gov/reactors/new-licensing/col/vogtle.html>. A detailed review by NRC of the environmental impacts of constructing and operating proposed Units 3 and 4 is documented in NUREG-1872, "Final Environmental Impact Statement for an Early Site Permit (ESP) at the Vogtle Electric Generating Plant Site." (ESP FEIS Volumes 1 and 2 are available in ADAMS under ADAMS accession numbers ML082240145 and ML082240165, respectively.)

Please submit comments either by mail to Mrs. Mallecia Sutton, Environmental Project Manager, Division of Site and Environmental Reviews, Mail Stop T-7E18, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001 or via e-mail to VogtleCOLAEIS@nrc.gov by December 30, 2009.

If you have any questions or require additional information, please contact Mrs. Sutton by telephone at 301-415-0673 or via e-mail to Mallecia.Sutton@nrc.gov.

Sincerely,

/RA/ A Fetter for

Gregory P. Hatchett, Branch Chief
Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos. 52-025 and 52-026

cc: See next page

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ADAMS Accession No. ML092330845 *See Previous Concurrence

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