

January 15, 2010

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.  
(Vogtle Electric Generating Plant, Units 3 and 4)  
Docket Nos. 52-025-COL and 52-026-COL

Dear Administrative Judges:

By letter dated December 1, 2009, the NRC staff ("Staff") informed the Atomic Safety and Licensing Board ("Board") and parties that, by January 15, 2010, it would provide its projected environmental review schedule or a status report on when that schedule would be available. At this time, the Staff still has not finalized the environmental review schedule. The Staff will issue the complete environmental review schedule or provide a further status report by January 29, 2010. When the complete schedule is issued, the Staff will promptly inform the Board and parties.

In addition, the Staff is also notifying the Board and parties of potential changes to its schedule for issuance of the safety evaluation report (SER). The Staff has discussed with ACRS staff the possibility of providing chapters of the Vogtle COL Advanced SER to the ACRS prior to the current October 2010 milestone for issuance of the Advanced SER. Under this

approach, the Staff would provide specified chapters to the ACRS (individually or in chapter “groups”) beginning in mid-February 2010, with Staff presentations to the ACRS occurring approximately one month after the availability of those chapters. The Staff would issue Vogtle COL Advanced SER Chapters 4 and 11 in mid-February 2010, followed by a presentation to the ACRS on March 19, 2010. The Staff would issue Chapters 2 and 12 in mid-March 2010, supporting an April 2010 presentation to the ACRS.

The Staff has reasonable confidence that these four chapters will be issued according to the above milestones. With respect to the remaining Vogtle SER chapters, the exact schedule will depend on the progress of the Staff review, but the Staff anticipates that chapters will be issued and subsequently presented to the ACRS nearly every month, beginning in February 2010 as noted above.

In short, while the specific issuance dates for most chapters of the Advanced SER are not yet firmly established, the Staff now considers it likely that some, if not all, chapters will be made publicly available and provided in stages to the ACRS prior to the current October 2010 milestone. If the proposed approach is changed, the Staff will so inform the Board and parties.

Respectfully submitted,

**/signed (electronically) by/**  
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Dated at Rockville, Maryland  
This 15<sup>th</sup> day of January, 2010

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
Southern Nuclear Operating Co. ) Docket Nos. 52-025 and 52-026  
 )  
(Vogtle Electric Generating Plant, )  
Units 3 and 4) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated January 15, 2010, have been served upon the following persons by Electronic Information Exchange this 15<sup>th</sup> day of January, 2010:

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