

## Hearing Docket

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**From:** Conduff, Linda [lconduff@balch.com]  
**Sent:** Friday, January 29, 2010 4:49 PM  
**To:** OCAAMAIL Resource; Bollwerk, Paul; Trikouros, Nicholas; 'jackson538@comcast.net'; Jackson, James; 'mcaston@southernco.com'; Docket, Hearing; Moulding, Patrick; Price, Sarah; 'ksutton@morganlewis.com'; 'sfrantz@morganlewis.com'; 'pbessette@morganlewis.com'; 'robert.haemer@pillsburylaw.com'; 'lsande3@emory.edu'; 'magolds@emory.edu'; 'jxb@nei.org'  
**Cc:** Blanton, Stan; Moore, C. Grady; LeJeune, Peter; 'DANAWILL@SOUTHERNCO.COM'; Chuck Pierce; 'agaughtm@southernco.com'  
**Subject:** Southern Nuclear's Third Supplemental Disclosures  
**Attachments:** Third Supplemental Disclosures.pdf

Please find attached Southern Nuclear's Third Supplemental Disclosures relating to the admitted contention in Docket Nos. 52-025-COL and 52-026-COL. We are sending a hard copy to the Joint Intervenors and NRC Staff via FedEx.

**Linda Conduff**  
**Legal Assistant to Peter LeJeune**  
**Chad Pilcher and Millie Ronnlund**  
**Balch & Bingham LLP**  
1901 Sixth Avenue North  
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USNRC

January 29, 2010 (4:49pm)

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X-SBRS: 2.7

X-MID: 12307431

X-fn: Third Supplemental Disclosures.pdf

X-IronPort-Anti-Spam-Filtered: true

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X-IronPort-AV: E=Sophos;i="4.49,371,1262581200";

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29 Jan 2010 16:49:08 -0500

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BHAMCAS01.corp.balch.com (10.1.1.142) with Microsoft SMTP Server (TLS) id  
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-0600

From: "Conduff, Linda" <lconduff@balch.com>

To: "ocaamail@nrc.gov" <ocaamail@nrc.gov>, "gpb@nrc.gov" <gpb@nrc.gov>,  
"ngt@nrc.gov" <ngt@nrc.gov>, "jackson538@comcast.net"  
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CC: "Blanton, Stan" <SBLANTON@balch.com>, "Moore, C. Grady"  
<GMOORE@balch.com>, "LeJeune, Peter" <plejeune@balch.com>,  
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Date: Fri, 29 Jan 2010 15:48:48 -0600

Subject: Southern Nuclear's Third Supplemental Disclosures

Thread-Topic: Southern Nuclear's Third Supplemental Disclosures

Thread-Index: AcqhLNZhgL8BC9zqSqu1u8BrQNMbw==

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MIME-Version: 1.0

Return-Path: lconduff@balch.com



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January 29, 2010

**VIA FEDEX**

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Turner Environmental Law Clinic  
Emory University School of Law  
1301 Clifton Road  
Atlanta, GA 30322

**Re: Third Supplemental Disclosures Pursuant to 10 CFR § 2.336 for Contention  
SAFETY-1; *Southern Nuclear Operating Co.* (COL for Vogtle Units 3 and 4),  
Docket Nos. 52-025-COL and 52-026-COL**

Dear Ms. Hodgdon and Mr. Sanders:

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 August 17, 2009 regarding mandatory disclosures ("August 17 Order"), Southern Nuclear Operating Company, Inc. ("Southern Nuclear") is providing the attached Third Supplemental Disclosures regarding Contention SAFETY-1, admitted by the ASLB's Order of March 5, 2009. Also attached is a supporting affidavit of Mr. Michael K. Smith, Director of Technical Support for Nuclear Development for Southern Nuclear.

The Third Supplemental Disclosures include a description of the documents and data compilations in the possession, custody, or control of Southern Nuclear (including its applicable affiliates and contractors) that are relevant to the admitted contention. Southern Nuclear is still in the process of reviewing each document identified in its disclosures to confirm whether or not they contain proprietary or privileged information. Thus, the disclosures may be over-inclusive in some respects in that they may include documents that are not discoverable based on 10 CFR § 2.336 or the ASLB's August 17 Order.

Please do not hesitate to contact me if you have any questions or need any further information.

Sincerely,

Chad A. Pilcher

Attachments

January 29, 2010

## Southern Nuclear Third Supplemental Disclosures

Vogtle COL

Document No.	Beginning Dates	Ending Dates	Summary Description	Document Date	Source	Document Type	
SNC244	TBD	TBD	E-mail from Dennis Reagin to Alvin McGrew, et al. regarding Waste Storage Question.	10/5/2009	Southern Nuclear	E-Mail	YES
SNC245	TBD	TBD	E-mail and attachment from Alvin McGrew to Ernest Bates, et al. regarding WCS Low Level Radioactive Waste Disposal License	10/7/2009	Southern Nuclear	E-Mail	
SNC246	TBD	TBD	E-mail from Jack Harrison to Ernest Bates regarding meeting	10/26/2009	Studsvik	E-Mail	YES
SNC247	TBD	TBD	E-mail and attachment from Dwight Hostetter to Indira Kochery, et al. regarding Cost Comparisons for Class B & C Radwaste Options	11/9/2009	Southern Nuclear	E-Mail	YES
SNC248	TBD	TBD	E-mail and attachment from Dwight Hostetter to Indira Kochery, et al. regarding Cost Comparisons for Class B & C Radwaste Options	11/10/2009	Southern Nuclear	E-Mail	YES
SNC249	TBD	TBD	E-mail from Richard Coker to Ernest Bates, et al. regarding Summary Financial Comparison	12/1/2009	Southern Nuclear	E-Mail	YES
SNC250	TBD	TBD	E-mail and attachment from Erin Mosley to Ernest Bates, et al. regarding Radwaste Class B&C Disposal Options - Financial Analysis	12/10/2009	Southern Nuclear	E-Mail	YES
SNC251	TBD	TBD	E-mail from Erin Mosley to Alvin McGrew, et al. regarding proposal clarification	12/10/2009	Southern Nuclear	E-Mail	YES

January 29, 2010

Southern Nuclear Third Supplemental Disclosures

Vogtle COL

Document No.	Requiring Bates	Excluded Bates	Document Description	Disclosed Date	Source	Document Type	Particular
SNC252	TBD	TBD	E-mail from Erin Mosley to Ernest Bates, et al. regarding Radwaste Class B & C Disposal - Financial Analysis	12/18/2009	Southern Nuclear	E-Mail	YES
SNC253	TBD	TBD	E-mail from Alvin McGrew to Ernest Bates regarding review of proposal	12/22/2009	Southern Nuclear	E-Mail	YES

**UNITED STATES OF AMERICA**  
**NUCLEAR REGULATORY COMMISSION**  
**Before the Atomic Safety and Licensing Board**

\_\_\_\_\_  
In the Matter of )

Docket Nos. 52-025-COL and  
52-026-COL

Southern Nuclear Operating Company )

(COL for Vogtle Electric Generating Plant, )  
Units 3 and 4) )  
\_\_\_\_\_

January 29, 2010

**CERTIFICATION OF SUPPLEMENTAL DISCLOSURES**  
**AFFIDAVIT OF MICHAEL K. SMITH**

County of Shelby     )  
                                  )  
State of Alabama     )


I, **MICHAEL K. SMITH**, being duly sworn according to law, depose and state the following:

I am the Director of Technical Support for Nuclear Development 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.

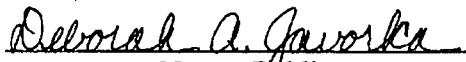
To the best of my knowledge, information and belief, Southern Nuclear's disclosures in the above captioned proceeding contain all materials required to be disclosed by 10 C.F.R. § 2.336(a), as modified by the Atomic Safety and Licensing Board's Order of August 17, 2009 (Ruling Regarding Joint Motion on Mandatory Disclosures and Request for Additional Scheduling), 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.

  
\_\_\_\_\_  
MICHAEL K. SMITH

SWORN TO and SUBSCRIBED before me this the 29th day of January, 2010.

  
\_\_\_\_\_  
Notary Public

My commission expires 10/24/12