May 24, 2010

Mr. Joseph A. (Buzz) Miller
Executive Vice President
Nuclear Development
Southern Nuclear Operating Company
P. O. Box 1295
Birmingham, AL 35201

SUBJECT: VOGTLE ELECTRIC GENERATING PLANT UNITS 3 AND 4 ADVANCED FINAL SAFETY EVALUATION REPORT WITH NO OPEN ITEMS FOR CHAPTER 12, "RADIATION PROTECTION"

Dear Mr. Miller:

By letter dated March 28, 2008, Southern Nuclear Operating Company (SNC) submitted its application to the U.S. Nuclear Regulatory Commission (NRC) requesting combined licenses (COLs) for two AP1000 advanced passive pressurized water reactors in accordance with the requirements of Title10 of the *Code of Federal Regulations* (10 CFR) Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants." The NRC formally docketed the application on May 30, 2008. These reactors are identified as Vogtle Electric Generating Plant (VEGP) Units 3 and 4 and would be located in Burke County, Georgia. The docket numbers established for VEGP Units 3 and 4 are 52-025 and 52-026, respectively. Subsequent to the original VEGP COL application, SNC updated and revised the application by letters dated May 22, 2009; September 23, 2009; October 2, 2009; and December 11, 2009.

Based on its review of SNC's application, the staff prepared the enclosed Advanced Final Safety Evaluation Report (AFSER) with no open items for Chapter 12, "Radiation Protection." Unless otherwise stated in the AFSER with no open items, the staff's review was based on revisions and updates made to the VEGP COL application through December 11, 2009. Issuance of this AFSER is an important milestone in the staff's review to determine whether SNC's application meets the Commission's regulations.

The staff concludes that the enclosed AFSER with no open items does not contain any information for which exemption from public disclosure has been sought or approved. However, the NRC will withhold the enclosed AFSER from public disclosure for ten calendar days from the date of this letter to allow SNC the opportunity to verify the staff's conclusion that the AFSER contains no such exempt information. If within that time, you do not request that all or portions of the AFSER be withheld from public disclosure in accordance with 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," the enclosure will be made available for public inspection through the NRC's Public Document Room and the Publicly Available Records component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the Public Electronic Reading Room section of the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

Should you have any questions, please contact Mr. Donald Habib, the project manager for the VEGP COL application at (301) 415-1035, donald.habib@nrc.gov or Mr. Ravindra Joshi, the lead project manager for the VEGP COL application at (301) 415-6191, ravindra.joshi@nrc.gov.

Sincerely,

/RA/ EMcKenna for

Jeffrey Cruz, Branch Chief
AP1000 Projects Branch (NWE 1)
Division of New Reactor Licensing
Office of New Reactors

Docket Nos. 52-025 and 52-026

Enclosure:
Safety Evaluation Report, Chapter 12

cc w/ encl: see next page

The staff concludes that the enclosed AFSER with no open items does not contain any information for which exemption from public disclosure has been sought or approved. However, the NRC will withhold the enclosed AFSER from public disclosure for ten calendar days from the date of this letter to allow SNC the opportunity to verify the staff's conclusion that the AFSER contains no such exempt information. If within that time, you do not request that all or portions of the AFSER be withheld from public disclosure in accordance with 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," the enclosure will be made available for public inspection through the NRC's Public Document Room and the Publicly Available Records component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the Public Electronic Reading Room section of the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

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Office of New Reactors

Docket Nos. 52-025 and 52-026

Enclosure:
Safety Evaluation Report, Chapter 12

cc w/ encl: See next page

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