

September 3, 2010

Mr. David Bernhart
National Marine Fisheries Service
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SUBJECT: NOTIFICATION OF THE ISSUANCE AND REQUEST FOR COMMENTS ON THE
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR
VOGTLE ELECTRIC GENERATING PLANT, UNITS 3 AND 4 COMBINED
LICENSE APPLICATION

Dear Mr. Bernhart:

On behalf of the U.S. Nuclear Regulatory Commission (NRC) staff, I am forwarding a copy of NUREG -1947, "Draft Supplemental Environmental Impact Statement for Combined Licenses (COLs) for the Vogtle Electric Generating Plant Units 3 and 4." The NRC is reviewing the application submitted by Southern Nuclear Operating Company, Inc. (SNC) and several co-applicants for two COLs to construct and operate two new nuclear units at the Vogtle Electric Generating Plant site in Burke County, GA. As part of its review of the proposed action, the NRC staff has prepared the draft supplemental environmental impact statement (DSEIS) to include an analysis of relevant environmental issues. The DSEIS documents the NRC determination regarding the environmental impacts at the proposed site from the construction and operation of two new nuclear units.

The DSEIS is available for public inspection at the NRC Public Documents Room or from the Publicly Available Records component of the NRC Agency-wide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room) and directly from the NRC website at www.nrc.gov. In addition, the Burke County Library, 130 Highway 24 South, Waynesboro, GA has agreed to make the DSEIS available for public inspection.

This DSEIS is a supplement to the Final EIS for the early site permit (ESP) issued on August 26, 2009, to SNC and the same co-applicants. An ESP is a Commission approval of a site suitable for construction and operation of one or more new nuclear units. Under Title 10 of the *Code of Federal Regulations* (10 CFR) CFR 51.50(c), 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. Accordingly, in preparing the DSEIS, the NRC staff considered whether new and significant information has been identified.

During the ESP environmental review, the NRC consulted with the Southeast Regional Office and, by letter dated August 11, 2008 (Enclosure 1), received concurrence on a biological assessment evaluating the impacts of construction and operation of two new reactors at the VEGP site on the shortnose sturgeon. The draft SEIS's analysis of impacts to the shortnose sturgeon did not change from the characterization in the ESP FEIS (NUREG-1872) and remains small with no additional mitigation warranted. The Staff has concluded that the COL action involves similar impacts to the same Federally listed species in the same geographic area as analyzed in the ESP, that no new species have been listed or proposed and no new critical habitat designated or proposed for the action area, and that with respect to potential impacts to the shortnose sturgeon, no relevant information has changed regarding the project since the earlier BA was submitted. Therefore, pursuant to 50 C.F.R. § 402.12(g), the Staff hereby proposes to incorporate that biological assessment by reference. Enclosed is a copy of the draft SEIS, NUREG-1947, along with a CD containing the environmental impact statement for the ESP, NUREG-1872, to aid your review.

The NRC plans to hold a public meeting on the DSEIS at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830 on Thursday, October 7, 2010. The meeting will convene at 7:00 p.m. and will continue until 10:00 p.m., as necessary. For your information, the meeting will be transcribed and will include: (1) a presentation of the contents of the DSEIS and (2) the opportunity for interested government agencies, organizations, and individuals to provide comments on the DSEIS report. Additionally, the meeting will be preceded by an open house session from 6 p.m. to 7 p.m., during which members of the public may meet and talk with NRC staff members on an informal basis. You and your staff are invited to attend.

To ensure compliance with Section 7 of the Endangered Species Act of 1973 (ESA) and fulfill consultation requirements as required by the Fish and Wildlife Coordination Act (FWCA), please provide any information and comments you consider appropriate under the provisions of the ESA or FWCA during the comment period, which ends on November 24, 2010. With respect to the incorporation by reference of the ESP biological assessment as discussed above, if no response from the Southeast Regional Office is received during the comment period, the NRC will consider the consultation closed. Comments should be submitted either by mail to the Chief, Rules, Announcements, and Directives Branch, Division of Administrative Services, Office of Administration, Mailstop TWB-05-B01M, Washington, D.C. 20555-0001 or via e-mail to Vogtle.COLAEIS@nrc.gov. Your comments will be addressed in the final SEIS.

D. Bernhart

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A separate notice of filing of the DSEIS will be placed in the *Federal Register* through the U.S. Environmental Protection Agency (EPA). If you have any questions regarding this matter, please contact Ms. Mallecia Sutton, NRC Environmental Project Manager at 301-415-0673 or via e-mail to Mallecia.Sutton@nrc.gov.

Sincerely,

/RA/

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

Docket Nos.: 52-025
52-026

Enclosure:
As stated

cc w/encl: See next page

D. Bernhart

- 3 -

A separate notice of filing of the DSEIS will be placed in the *Federal Register* through the U.S. Environmental Protection Agency (EPA). If you have any questions regarding this matter, please contact Ms. Mallecia Sutton, NRC Environmental Project Manager at 301-415-0673 or via e-mail to Mallecia.Sutton@nrc.gov.

Sincerely,

/RA/

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

Docket Nos.: 52-025
52-026

Enclosure:
As stated

cc w/encl: See next page

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OFFICIAL RECORD COPY

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