

Southern Nuclear
Operating Company, Inc.
42 Inverness Center Parkway
Birmingham, Alabama 35242



NOV 23 2010

Docket Nos.: 52-025
52-026

ND-10-2199

U.S. Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555-0001

Southern Nuclear Operating Company
Vogtle Electric Generating Plant Units 3 and 4 Combined License Application
Comments on Draft Supplemental Environmental Impact Statement

Ladies and Gentlemen:

On August 14, 2006, Southern Nuclear Operating Company (SNC) submitted an application to the U.S. Nuclear Regulatory Commission (NRC) requesting an early site permit (ESP) for two additional reactor units (i.e., Units 3 and 4) at the Vogtle Electric Generating Plant (VEGP). In August 2008, the NRC issued a final environmental impact statement (NUREG-1872) for the VEGP ESP site, and on August 26, 2009, the NRC issued an ESP (i.e., ESP-004) for the VEGP site. Concurrent with these actions, SNC also submitted an application to the NRC for combined licenses (COLs) for VEGP Units 3 and 4 in March 2008. By letter dated September 23, 2009, SNC submitted a revision to the COL application to make reference to this ESP. In accordance with 10 CFR 51.75(c)(1), the NRC then issued a draft supplemental environmental impact statement (SEIS) (i.e., NUREG-1947) for the VEGP Units 3 and 4 COL Application, as denoted in the Federal Register on September 3, 2010. The Federal Register notice requested that any comments on the draft SEIS be submitted by November 24, 2010. The enclosure to this letter provides SNC comments on the draft supplemental environmental impact statement.

If you have any questions regarding this letter, please contact Mr. Dale Fulton at (205) 992-7536.

DO92
NRO

Mr. C. R. Pierce states he is the AP1000 Licensing Manager of Southern Nuclear Operating Company, is authorized to execute this oath on behalf of Southern Nuclear Operating Company and to the best of his knowledge and belief, the facts set forth in this letter are true.

Respectfully submitted;

SOUTHERN NUCLEAR OPERATING COMPANY

Charles R. Pierce

C. R. Pierce

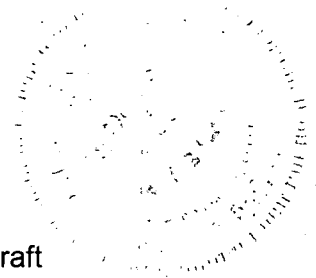
Sworn to and subscribed before me this 23rd day of November, 2010

Notary Public: Dana Marie Williams

My commission expires: 12/29/2010

CRP/DLF

Enclosure: SNC Comments On the VEGP Units 3 and 4 COL Application Draft
Supplemental Environmental Impact Statement (NUREG-1947)



cc: Southern Nuclear Operating Company

Mr. J. H. Miller, III, President and CEO (w/o enclosure)
Mr. J. A. Miller, Executive Vice President, Nuclear Development (w/o enclosure)
Mr. J. T. Gasser, Executive Vice President, Nuclear Operations (w/o enclosure)
Mr. B. L. Ivey, Vice President, Nuclear Development Support (w/o enclosure)
Mr. D. H. Jones, Site Vice President, Vogtle 3 & 4 (w/o enclosure)
Mr. T. E. Tynan, Vice President - Vogtle (w/o enclosure)
Mr. M. K. Smith, Technical Support Director (w/o enclosure)
Mr. D. M. Lloyd, Vogtle 3 & 4 Project Support Director (w/o enclosure)
Mr. M. J. Ajluni, Nuclear Licensing Manager
Mr. T. C. Moorer, Manager, Environmental Affairs, Chemistry and Radiological Services
Mr. J. D. Williams, Vogtle 3 & 4 Site Support Manager
Mr. D. L. Fulton, Nuclear Development Environmental Manager
Mr. J. T. Davis, Vogtle 3 & 4 Site Licensing Supervisor
Mr. W. A. Sparkman, COL Project Engineer
Ms. A. G. Aughtman, Lead AP1000 Licensing Project Engineer
Document Services RTYPE: COR0507-03
File AR.01.02.06

Nuclear Regulatory Commission

Mr. L. A. Reyes, Region II Administrator
Mr. F. M. Akstulewicz, Deputy Director Div. of Safety Systems & Risk Assess. (w/o encl.)
Mr. R. G. Joshi, Lead Project Manager of New Reactors
Ms. T. E. Simms, Project Manager of New Reactors
Mr. B. C. Anderson, Project Manager of New Reactors
Mr. M. M. Comar, Project Manager of New Reactors
Ms. S. Goetz, Project Manager of New Reactors
Mr. J. M. Sebrosky, Project Manager of New Reactors
Mr. D. C. Habib, Project Manager of New Reactors
Ms. D. L. McGovern, Project Manager of New Reactors
Ms. T. L. Spicher, Project Manager of New Reactors
Ms. M. A. Sutton, Environmental Project Manager
Mr. M. D. Notich, Environmental Project Manager
Mr. L. M. Cain, Senior Resident Inspector of VEGP 1 & 2
Mr. J. D. Fuller, Senior Resident Inspector of VEGP 3 & 4

Georgia Power Company

Mr. T. W. Yelverton, Nuclear Development Director
Ms. A. N. Faulk, Nuclear Regulatory Affairs Manager

Oglethorpe Power Corporation

Mr. M. W. Price, Executive Vice President and Chief Operating Officer
Mr. K. T. Haynes, Director of Contracts and Regulatory Oversight

Municipal Electric Authority of Georgia

Mr. J. E. Fuller, Senior Vice President, Chief Financial Officer
Mr. S. M. Jackson, Vice President, Power Supply

Dalton Utilities

Mr. D. Cope, President and Chief Executive Officer

Bechtel Power Corporation

Mr. J. S. Prebula, Project Engineer (w/o enclosure)

Mr. R. W. Prunty, Licensing Engineer

Tetra Tech NUS, Inc.

Ms. K. K. Patterson, Project Manager

Shaw Stone & Webster, Inc.

Mr. B. Davis, Vogtle Project Manager (w/o enclosure)

Mr. J. M. Oddo, Licensing Manager

Westinghouse Electric Company, LLC

Mr. S. D. Rupprecht, Vice President, New Plant Product Services (w/o enclosure)

Mr. R. J. Buechel, Consortium Project Director Vogtle Units 3 & 4 (w/o enclosure)

Mr. R. F. Ziesing, Director, US Licensing, NPP

Mr. S. A. Bradley, Vogtle Project Licensing Manager

Mr. M. A. Melton, Manager, Regulatory Interfaces

Mr. D. A. Lindgren, Principal Engineer, AP1000 Licensing and Customer Interface

NuStart Energy

Mr. R. J. Grumbir

Mr. E. R. Grant

Mr. P. S. Hastings

Mr. B. Hirmanpour

Mr. N. Haggerty

Ms. K. N. Slays

Other NuStart Energy Associates

Ms. M. C. Kray, NuStart

Mr. S. P. Frantz, Morgan Lewis

Mr. J. A. Bailey, TVA

Ms. A. L. Sterdis, TVA

Mr. M. Vidard, EDF

Mr. W. Maher, FP&L

Mr. K. Hughey, Entergy

Mr. N. T. Simms, Duke Energy

Mr. G. A. Zinke, NuStart & Entergy

Mr. R. H. Kitchen, PGN

Ms. A. M. Monroe, SCE&G

Mr. T. Miller, DOE/PM

Enclosure

SNC Comments

On the

VEGP Units 3 and 4 COL Application

Draft Supplemental Environmental Impact Statement

(NUREG-1947)

SNC Comment

Title IV, Permits and Licenses section of the Federal Water Pollution Control Act requires "any applicant for a Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters, [to] provide the licensing or permitting agency a certification from the State" indicating that the discharges will comply with applicable provisions in the Federal Water Pollution Control Act. This requirement was included in Sections 1.5 and 4.3, and Table H-1 of the VEGP Draft SEIS and states that a 401 Water Quality Certification be received from the Georgia Department of Natural Resources (GDNR) to support the VEGP Units 3 and 4 COL process. On June 1, 2010, the GDNR issued a 401 Water Quality Certification (JPN 200701837) to SNC for the VEGP Units 3 and 4 site. Please find enclosed as Attachment 1 a copy of the 401 Water Quality Certification.

Furthermore, as described in Condition #3 of the Certification, the 401 Water Quality Certification will be effective once the GDNR has issued a Stream Buffer Variance for the project. On April 29, 2010, the GDNR issued a Stream Buffer Variance to SNC for the VEGP Units 3 and 4 site. Please find enclosed as Attachment 2 a copy of the Stream Buffer Variance.

SNC requests that Sections 1.5 and 4.3, and Table H-1 be revised to indicate that a 401 Water Quality Certification has been issued by the GDNR for VEGP Units 3 and 4.

ASSOCIATED ATTACHMENTS/ENCLOSURES:

Attachment 1, 401 Water Quality Certification, VEGP Units 3 and 4

Attachment 2, Stream Buffer Variance, VEGP Units 3 and 4

ND-10-2199
Enclosure
SNC Comments on NUREG-1947

**Attachment 1,
401 Water Quality Certification, VEGP Units 3 and 4**

Received
Environmental Services

JUN 14 2010

Georgia Department of Natural Resources

2 Martin Luther King, Jr. Drive, S.E., Suite 1152 East Tower, Atlanta, Georgia 30334-9000
Chris Clark, Commissioner
F. Allen Barnes, Director
Environmental Protection Division
404/656-4713

June 1, 2010

Mr. Thomas C. Moorer
Manager, Environmental Affairs
Southern Nuclear Operating Company, Inc.
PO Box 1295
Birmingham, Alabama 35201-1295

Re: Water Quality Certification
Joint Public Notice 200701837
Expansion- Plant Vogtle
Savannah River Basin
Burke County

Dear Mr. Moorer:

Pursuant to Section 401 of the Federal Clean Water Act, the State of Georgia issues this certification to Southern Nuclear Operating Company, Inc., an applicant for a federal permit or license to conduct an activity in, on or adjacent to the waters of the State of Georgia.

The State of Georgia certifies that there is no applicable provision of Section 301; no limitation under Section 302; no standard under Section 306; and no standard under Section 307, for the applicant's activity. The State of Georgia certifies that the applicant's activity will comply with all applicable provisions of Section 303.

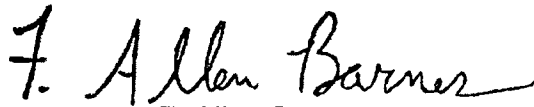
This certification is contingent upon the following conditions:

1. All work performed during construction will be done in a manner so as not to violate applicable water quality standards.
2. No oils, grease, materials or other pollutants will be discharged from the construction activities which reach public waters.
3. Section 401 Water Quality Certification shall be effective upon the date of issuance of a Stream Buffer Variance by the Director of EPD as provided in the Georgia Erosion and Sedimentation Act of 1975, as amended, O.C.G.A. 12-7-6(b)(15).

This certification does not relieve the applicant of any obligation or responsibility for complying with the provisions of any other laws or regulations of other federal, state or local authorities.

It is your responsibility to submit this certification to the appropriate federal agency.

Sincerely,

A handwritten signature in black ink that reads "F. Allen Barnes". The signature is written in a cursive style with a large, stylized "F" and "B".

F. Allen Barnes
Director

FAB:kp

cc: Mr. Shaun Blocker
Mr. Richard Morgan
Mr. Bob Lord
Ms. Deborah Harris
Mr. Darrell Smith

ND-10-2199
Enclosure
SNC Comments on NUREG-1947

**Attachment 2,
Stream Buffer Variance, VEGP Units 3 and 4**

Georgia Department of Natural Resources

2 Martin Luther King, Jr. Drive, S.E., Suite 1152 East Tower, Atlanta, Georgia 30334-9000

Chris Clark, Commissioner

F. Allen Barnes, Director

Environmental Protection Division

404/656-4713

April 29, 2010

Mr. Tom Moorer
Southern Nuclear Company
P.O. Box 1295
42 Inverness Center
Birmingham, Alabama 35201-1295

Re: Request for Variance under
Provisions of O.C.G.A. 12-7-6(b)(15)
Plant Vogtle Units 3 & 4
Burke County

Dear Mr. Moorer:

The Georgia Environmental Protection Division's Watershed Protection Branch has reviewed your stream buffer variance request for the above referenced project. The review was conducted to consider the potential impact of the proposed project's encroachment on State waters within the context of the Georgia Erosion and Sedimentation Act. Pursuant to DNR Rule 391-3-7.05(2)(a), authorization is hereby granted to encroach within the 25-foot buffer adjacent to State waters for the above referenced project subject to the following conditions:

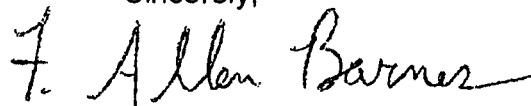
1. As per your application dated January 8, 2010;
2. All graded slopes 3:1 or greater must be hydroseeded and covered with Georgia DOT approved wheat straw, wood fiber matting or coconut fiber matting. If not hydroseeded, Georgia DOT approved matting that has been incorporated with seed and fertilizer must be used. All slopes must be properly protected until a permanent vegetative stand is established;
3. The amount of land cleared during construction must be kept to a minimum;
4. All disturbed areas must be seeded, fertilized and mulched as soon as the final grade is achieved. Also, these disturbed areas must be protected until permanent vegetation is established; and
5. Georgia DOT type "C" silt fence or an approved high performance silt fence must be installed on the site perimeter wherever the stormwater may be discharged, and a double row must be installed between the land disturbing activities and State waters.

Mr. Tom Moorer
Page 2
April 29, 2010

The granting of this approval does not relieve you of any obligation or responsibility for complying with the provisions of any other law or regulations of any federal, local or additional State authority, nor does it obligate any of the aforementioned to permit this project if they do not concur with its concept of development/control.

If you have any questions concerning this letter, please contact Michael Berry, Erosion and Sedimentation Control Unit, NonPoint Source Program, at (404) 675-6240.

Sincerely,

A handwritten signature in black ink that reads "F. Allen Barnes". The signature is written in a cursive style with a large, stylized "F" and "B".

F. Allen Barnes
Director

FAB:mb

cc: Honorable Wayne Crockett
Bob Brinkman
Don McCarty
Chris Martin
Rahn Milligan

File: BV-017-10-01