

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

FEB 04 2011



Docket Nos.: 52-011

ND-11-0243

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

Southern Nuclear Operating Company
Vogtle Electric Generating Plant Early Site Permit
Notification of Proposed Change to Environmental Permit SAS-2007-01837

Ladies and Gentlemen:

By letter dated August 26, 2009, the U.S. Nuclear Regulatory Commission (NRC) issued an early site permit (ESP) and accompanying limited work authorization (LWA) to Southern Nuclear Operating Company (SNC), in accordance with 10 CFR 52.24, for the Vogtle Electric Generating Plant (VEGP) ESP site. The permit, designated ESP-004, contains a requirement in Permit Condition 3.J which states that any activities performed pursuant to 10 CFR 52.24(c) are subject to the conditions for the protection of the environment set forth in the Environmental Protection Plan (EPP) attached as Appendix G to ESP-004. Section 3.0 of ESP-004 Appendix G, Environmental Protection Plan (Nonradiological), requires SNC to "notify the NRC of proposed changes to permits or certifications concerning aquatic or terrestrial resources by providing the NRC with a copy of the proposed change at the same time it is submitted to the permitting agency."

SNC is requesting an administrative change to Department of Army issued Permit SAS-2007-01837 regarding the purchase of required wetland mitigation credits. The permit currently requires SNC to purchase wetland mitigation credits from a single mitigation bank (Phinizy Swamp Mitigation Bank). This mitigation bank has insufficient wetland mitigation credits available for purchase, requiring SNC to purchase the remaining wetland mitigation credits from additional banks. The proposed permit change would allow SNC to purchase wetland mitigation credits from additional wetland mitigation banks. This change is administrative only and does not alter the conclusions of the VEGP ESP Final Environmental Impact Statement (EIS) and does not impact the Draft Supplemental EIS for VEGP combined licenses.

A copy of the SNC letter requesting this proposed permit change is provided in the enclosure to this letter. Thus, this letter satisfies the ESP-004 Appendix G, Section 3.0 requirement to notify the NRC of the requested change to Permit SAS-2007-01837.

D092
NRD

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

Respectfully submitted,

SOUTHERN NUCLEAR OPERATING COMPANY

A handwritten signature in black ink, appearing to read "C. R. Pierce". The signature is written in a cursive style with a large, looping initial "C".

C. R. Pierce,
AP1000 Licensing Manager

CRP/BJS

Enclosure: SNC Letter ND-11-0225 Requesting a Change to Permit SAS-2007-01837

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 Director
Mr. T. C. Moorer, Manager, Environmental Affairs, Chemistry and Rad. Services
Mr. J. D. Williams, Vogtle 3 & 4 Site Support Manager
Mr. J. T. Davis, Vogtle 3 & 4 Site Licensing Supervisor
Mr. W. A. Sparkman, COL Project Engineer (w/o enclosure)
Ms. A. G. Aughtman, Lead AP1000 Licensing Project Engineer (w/o enclosure)
Mr. D. L. Fulton, Nuclear Development Environmental Manager
Mr. B. W. Waites, Construction Licensing Project Engineer
Document Services RTYPE: COR0507-03
File AR.01.02.06

Nuclear Regulatory Commission

Mr. V. M. McCree, 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

Southern Nuclear Operating Company

ND-11-0243

Enclosure

SNC Letter ND-11-0225 Requesting a Change to

Permit SAS-2007-01837

Note: The enclosed letter is four (4) pages in length.

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



Log: ND-11-0225

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FEDERAL EXPRESS

Plant Vogtle Units 3&4

Department of the Army Permit SAS-2007-01837
Permit Modification Request

Mrs. Carol Bernstein
Department of the Army
Savannah District, Corps of Engineers
100 W. Oglethorpe Avenue
Savannah, GA 31401-3640

Mrs. Bernstein:

On September 30, 2010, the Department of the Army issued Permit SAS-2007-01837 to Southern Nuclear Operating Company (SNC) for the expansion of the Vogtle Electric Generating Plant (VEGP) Units 3&4, near Waynesboro, Ga. The Permit requires SNC to purchase 77.8 wetland mitigation credits from Phinizy Swamp Mitigation Bank prior to commencement of the authorized work.

Phinizy Swamp does not have sufficient wetland credits available for purchase to meet the needs of the permit. Accordingly, SNC has identified additional mitigation banks within VEGP's Primary Service Area (PSA) and Secondary Service Area (SSA) with available wetland mitigation credits.

SNC is requesting an administrative amendment to Permit SAS-2007-01837 to allow for the purchase of wetland mitigation credits from the mitigation banks identified in the enclosed Mitigation Credit Purchase Evaluation.

In order to obtain the wetland mitigation credits required under the Permit, SNC proposes to first purchase all remaining authorized credits available within the VEGP PSA (currently 45.53 credits from Phinizy Swamp, including an anticipated credit release from the Corps; and 24.92 credits from Brushy Creek). There are no other mitigation banks in the VEGP PSA with available wetland credits.

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Savannah District, Corps of Engineers
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Once all available credits within the VEGP PSA have been purchased, any additional wetland mitigation credits needed for the project would be purchased from banks located in VEGP's SSA (Margin Bay and Wilhelmina Morgan). Both banks have wetland credits available and are approved by the Corps.

If you have any questions or need any additional information please contact Matt Montz at (205) 992-5629.

Sincerely,

A handwritten signature in black ink, appearing to read "D. L. Fulton". The signature is written in a cursive style with a large initial "D".

D. L. Fulton
Nuclear Development Environmental Manager

DLF/MTM:dmw

Enclosure – Mitigation Credit Purchase Evaluation

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Department of the Army
Savannah District, Corps of Engineers
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bcc: w/o Enclosure

D. H. Jones
B. L. Ivey
M. K. Smith
D. J. Clem
C. L. Buck
T. D. Blalock
D. C. Moncus
S. Shaler
F. I. Page
M. T. Montz
G. D. Elmore
R. B. Brinkman

w/ Enclosure

B. P. Allen
File: E.05.50
SNC Document Management – Vogtle (Return Receipt)
R-type ENV0101

Mitigation Credit Purchase Evaluation

Project Name: Vogtle Electric Generating Plant
County: Burke
Prepared: 27-Jan-11

Resource Analysis				
Impact Site Data				
Resource Category	Service Area; HUC	Distance to Impacted Site	Credits Needed	
Freshwater Wetland	PSA; 03060106	N/A	77.8	
Stream	PSA; 03060106	N/A	2224	
Mitigation Bank Data			Sufficient Credits Available	Recommended for Use
Millhaven Plantation				
Freshwater Wetland	PSA; 03060108	14 miles	No	No
Phinzy Swamp				
Freshwater Wetland	PSA; 03060106	24 miles	Yes, partial (45.53 credits available)	Yes
Brushy Creek				
Freshwater Wetland	PSA; 03060108	26 miles	Yes, partial (24.92 credits available)	Yes
Margin Bay				
Freshwater Wetland	SSA; 03060202	74 miles	Yes	Yes (if sufficient credits unavailable in PSA)
Wilhelmina Morgan				
Freshwater Wetland	SSA; 03060204	78 miles	Yes	Yes (if sufficient credits unavailable in PSA)
Bath Branch				
Stream	PSA; 03060106	27 miles	Yes	Yes