

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

Southern Nuclear Operating Company

**(COL Application for Vogtle Electric
Generating Plant, Units 3 and 4)**

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

)
) **September 6, 2011**
)
)

**SOUTHERN NUCLEAR OPERATING COMPANY’S
ANSWER IN OPPOSITION TO PETITIONS TO INTERVENE AND
REQUESTS TO ADMIT NEW CONTENTIONS**

In accordance with 10 C.F.R. §§ 2.323(c) and 2.309(h), Southern Nuclear Operating Company (“SNC”) submits this Answer In Opposition To Petitions to Intervene and Requests to Admit New Contentions (“Answer”). On August 11, 2011, nearly 15 months after the contested portion of the Vogtle Units 3 and 4 proceeding was terminated, the Blue Ridge Environmental Defense League (“BREDL”) filed a “Motion to Reopen The Record And Admit Contention Regarding The Safety And Environmental Implications Of The Nuclear Regulatory Commission Task Force Report On The Fukushima Dai-ichi Accident” along with a “Contention Regarding NEPA Requirement To Address Safety And Environmental Implications Of The Fukushima Task Force Report,” which contained three proposed contentions. Also on August 11, 2011, Center for a Sustainable Coast, Georgia Women’s Action for New Directions f/k/a Atlanta Women’s Action for New Directions, and Southern Alliance for Clean Energy (“CSC

Movants”)¹ filed a “Motion To Reopen The Record And Admit Contention To Address The Safety And Environmental Implications Of The Nuclear Regulatory Commission Task Force Report On The Fukushima Dai-ichi Accident” along with a “Contention Regarding NEPA Requirement To Address Safety And Environmental Implications Of The Fukushima Task Force Report,” which contained one proposed contention.

SNC addressed the inadmissibility of each newly proposed contention in its answer filed August 22, 2011 in the above-captioned dockets.² Although SNC does not believe that any additional response is required under § 2.309(h), for the purpose of preserving the record and the avoidance of doubt, SNC hereby adopts and incorporates by reference its August 22, 2011 answer. Because no admissible contention has been proffered, BREDL and CSC Movants have not met the requirements to intervene in the above-captioned proceeding, pursuant to 10 C.F.R. § 2.309(a).

SNC respectfully requests that the CSC Motion and BREDL petitions to intervene, and all related newly proposed contentions, be rejected.

Respectfully submitted,

Signed (electronically) by M. Stanford Blanton

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¹ The original “Joint Intervenors” in the Vogtle Units 3 and 4 contested proceeding were Atlanta Women’s Action for New Directions, BREDL, the Center for Sustainable Coast, the Savannah Riverkeeper, and the Southern Alliance for Clean Energy. Movants no longer include Savannah Riverkeeper, and BREDL is filing independently of the other Movants. Additionally, the Atlanta Women’s Action for New Directions is now the Georgia Women’s Action for New Directions. As used herein, “Movants” refers to BREDL and the CSC Movants collectively.

² Southern Nuclear Operating Company’s Answer In Opposition To Motions To Reopen The Record And Request To Admit New Contentions, Docket Nos. 52-025 and 52-026 (Aug. 22, 2011).

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Dated this 6th day of September, 2011.

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

September 6, 2011

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*And upon any other persons designated on the official service list compiled by the Nuclear Regulatory Commission in this proceeding.

(Original signed by M. Stanford Blanton)

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Dated this 6th day of September, 2011.