



EMORY
SCHOOL OF
LAW

Turner Environmental Law Clinic

FOIA/PA REQUEST

Case No.: 2012-0020
 Date Recd: 10/20/11
 Specialist: Christina
 Related Case: _____

October 20, 2011

**VIA U.S. MAIL AND
FACSIMILE**

FOIA/Privacy Officer
 U.S. Nuclear Regulatory Commission
 And Office of Information Services
 Mailstop: T-5 F09
 Washington, DC 20555-0001
 Facsimile: (301) 415-5130

Re: Freedom of Information Act Request

Dear Sir or Madam:

On behalf of the Savannah Riverkeeper, and pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 *et seq.*, and the Nuclear Regulatory Commission (the "NRC") regulations codified at 10 C.F.R. part 9, subpart A, we respectfully request information related to groundwater monitoring for radionuclides at Southern Nuclear Operating Company, Inc.'s Vogtle Electric Generating Plant ("SNOC-PV") site in Burke County, Georgia, which shall include, but not be limited to, the following:

- 1) All documents, records, and correspondence related to, or created as a result of, the May 3, 2007 *Vogtle Electric Generating Plant - Units 1&2 Groundwater Monitoring Plan for Radionuclides* (NRC Accession No. 073240580); and
- 2) Any record which documents actual implementation of a groundwater monitoring plan for radionuclides at the SNOC-PV site; and
- 3) Any record which reports the results of groundwater monitoring for radionuclides at the SNOC-PV site; and
- 4) All documents, records, reports, correspondence which contain information concerning any sampling or monitoring for radionuclides in groundwater at the SNOC-PV site; and

Emory University
 Gambrell Hall
 Atlanta, Georgia 30322-2770
 An equal opportunity, affirmative action university

Tel 404.727.5542
 Fax 404.727.7851

- 5) Any other record which documents a presence of radionuclides in groundwater on the SNOC-PV site.

In the event that any documents described above are held from public release, please indicate the title, date, author and subject matter of the document, and the specific reason under 10 C.F.R. § 9.17 under which it is withheld.

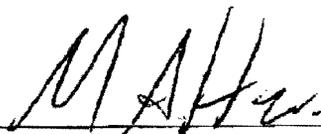
I hereby request a waiver of fees associated with complying with this request, pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and 10 C.F.R. § 9.41. The Savannah Riverkeeper qualifies for a fee waiver because furnishing the information is likely to contribute significantly to public understanding of the operations or activities of the SNOC-PV site and is not primarily in the commercial interest of the Savannah Riverkeeper. This claim is supported by the following facts:

1. The subject of the records requested concerns the operations and activities of the SNOC-PV site with regard to groundwater monitoring for radionuclides or any other radioactive constituents. Specifically, these records will reveal the Regulatory Commission's (the "NRC") oversight of such activities and operations by SNOC-PV regarding groundwater contamination within the State of Georgia.
2. The information that the Savannah Riverkeeper has requested is likely to contribute to an understanding of NRC's oversight of SNOC-PV's operations and activities regarding groundwater monitoring and contamination concerns by illustrating the actions and the steps NRC has taken to evaluate the state of groundwater beneath the SNOC-PV site. This serves the public interest by providing neighboring residents of the SNOC-PV site and citizens of the state of Georgia with information regarding potential radioactive contaminants in the groundwater which is used for human and agricultural consumption.
3. The Savannah Riverkeeper has the ability to disseminate the requested information, which will contribute to the public understanding of groundwater monitoring activities and contamination concerns at the SNOC-PV site and impact of the Plant Vogtle Project. The Savannah Riverkeeper maintains a free and publically accessible website (<http://www.savannahriverkeeper.org>) that posts valuable information concerning the Savannah River. The Savannah Riverkeeper will use the requested information on its website to educate the public about the Plant Vogtle Project and its effects on the environment. In addition, the Savannah Riverkeeper will disseminate the requested information through newsletters, emails, press releases and newspaper articles.
4. The disclosure of this information is likely to contribute significantly to the public understanding of NRC's oversight of SNOC-PV's operations and activities

regarding groundwater monitoring and contamination concerns. The information requested will reveal the ways in which the SNOG-PV has attempted to ensure that the Plant Vogtle Project complies with NRC regulations. The information requested will also reveal what obligations the NRC has put in place at the SNOG-PV site to perform groundwater monitoring for radionuclides, under which permits, programs, or licenses it is required, and what the goals and motivation for the sampling program are. In addition, the requested records will shed light on potential groundwater contamination that has already occurred at the site, a concern shared by the NRC, Georgia Environmental Protection Division, Southern Nuclear Operating Company, Inc. , and SNOG-PV's neighbors at the Savannah River Site, overseen by the United States Department of Energy.

5. The Savannah Riverkeeper has no commercial interest in the disclosure of this information. The Savannah Riverkeeper is a private, non-profit, 501(c)(3) river advocacy organization incorporated in the State of Georgia. The mission of the Savannah Riverkeeper is to protect the water quality of the Savannah River and the integrity of its watershed, and to promote an enlightened stewardship of this unique heritage.
6. As noted above, the Savannah Riverkeeper has no commercial interest that weighs against the public interest in the disclosure of the requested information. The subject of the records requested concerns the operations and activities of the government. Specifically, these records will reveal SNOG-PV's groundwater monitoring activities and operations within the State of Georgia.

Thank you in advance for your timely compliance with this request. If you have any questions or problems with this request, please do not hesitate to contact me.



M. Alexander Hope, Jr.
Student Attorney
Turner Environmental Law Clinic
Emory University School of Law
1301 Clifton Road
Atlanta, Georgia 30322
Tel: (404) 216 - 6456
Fax: (404) 727 - 7851

FAX COVER SHEET

TO: FOIA / Privacy Officer, D.S. N.R.C.

FAX #: 301 915 5130

FROM: Alexander Hope, Turner Environmental Law Clinic

DATE: October 20, 2011

NUMBER OF PAGES, INCLUDING COVER SHEET: 4

MESSAGE:

FOIA Request