

August 30, 2007

Mr. J. A. "Buzz" Miller, Senior Vice President  
Nuclear Development  
Southern Nuclear Operating Company, Inc.  
40 Inverness Center Parkway  
P.O. Box 1295  
Birmingham, AL 35201

SUBJECT: SAFETY EVALUATION REPORT FOR THE VOGTLE EARLY SITE PERMIT  
APPLICATION

Dear Mr. Miller:

By letter to the U.S. Nuclear Regulatory Commission (NRC or Commission) dated August 14, 2006, Southern Nuclear Operating Company (SNC), tendered its application for an early site permit (ESP) for the Vogtle Electric Generating Plant (VEGP) site, in accordance with Subpart A, "Early Site Permits," of Title 10 of the *Code of Federal Regulations* (10 CFR), Part 52, "Early Site Permits; Standard Design Certifications; and Combined Licenses for Nuclear Power Plants." The NRC formally accepted the application as a docketed application for an ESP on September 19, 2006. The NRC staff has reviewed the ESP application and has developed the enclosed safety evaluation report (SER) with open items.

The SER is being issued in accordance with the review schedule identified in the enclosure to the staff's letter to SNC dated September 19, 2006. The SER provides information to stakeholders regarding the state of completion of the staff's review of the safety aspects of SNC's ESP application and the remaining information needed for issuance of the final safety evaluation report (FSER). Because the SER contains open items (subjects for which SNC needs to provide additional information), the NRC staff has not made a decision regarding whether to recommend to the Commission that an ESP be issued for the VEGP site.

Issuance of this SER is an important milestone in the staff's rigorous review to determine whether SNC's application meets the Commission's regulations. In the period preceding preparation of the FSER, both SNC and the NRC staff will need to focus on resolution of the open items identified in the SER. To that end, the current schedule calls for SNC to provide responses to all open items no later than October 15, 2007.

It is imperative that SNC and the NRC staff exchange complete, timely, and accurate information in order for all open items to be resolved expeditiously. The staff requests SNC's cooperation in setting up meetings, responding fully to the staff's needs for information, and docketing the needed information in a timely manner. SNC should ensure that its meeting attendees have the authority to make commitments to resolve issues. Senior management meetings may be used to address difficult issues, if necessary.

The staff concludes that the enclosed SER does not contain any information for which exemption has been sought or approved. However, the NRC will withhold the enclosed SER from public disclosure for 14 calendar days from the date of this letter to allow SNC the

opportunity to verify the staff's conclusions. If, after that time, you do not request that all or portions of the SER be withheld from public disclosure in accordance with 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," the enclosure will be made available for public inspection through the NRC's Public Document Room and the Publicly Available Records component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the Public Electronic Reading Room section of the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Please contact Mr. Christian Araguas, the NRC project manager for the review of the SNC VEGP site application, at (301) 415-3637 or [cja2@nrc.gov](mailto:cja2@nrc.gov) if you have any questions or comments concerning this matter.

Sincerely,

**/RA/**

David B. Matthews, Director  
Division of New Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 52-011

Enclosure:  
VEGP ESP SER

cc w/o encl: See next page

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Sincerely,

/RA/

David B. Matthews, Director  
Division of New Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 52-011

Enclosure:

VEGP ESP SER

cc w/o encl: See next page

Package: ML071581032

Letter: ML072400469

Chapter 1: ML072250471

Chapter 2: ML071800270

Section 2.4: ML072040363

Section 2.5 (Part 1): ML072010363

Section 2.5 (Part 2): ML072010274

Chapter 3: ML071580992

Section 11: ML071770255

Chapter 13: ML071970283

Chapter 15: ML071580614

Chapter 17: ML071580636

Chapter 18: ML072250593

Chapter 19: ML072250595

Appendix A: ML072260173

Appendix B: ML072220065

Appendix C: ML072220271

Appendix D: ML072250444

\*NLO

OFFICE	PM:NWE1	BC:NWE1	OGC*	D:DNRL
NAME	CAraguas	EMcKenna for SCoffin	JRund	DMatthews
DATE	08/28/07	08/29/07	08/29/07	08/29/07

OFFICIAL RECORD COPY

Distribution of SER for the Vogtle ESP Application Dated August 30, 2007

Hard Copy w/encl.:

CAraguas  
MNotich

Hard Copy w/o encl.:

Public

Email:

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RidsNroDnrl	RidsNroDcipChpb
RidsNroDnrlNwe1	MConcepcion
RidsNroDnrlNwe2	RidsOpaMail
RidsOgcRp	BKlukan
MNotich	MLoftus
CAraguas	MThaggard
RidsNroDcip	MHart
RidsNroDser	SShaffer
RidsNsirDsp	HAhn
RidsNsirDspDdrsr	GBagchi
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EWeiss	STammara
BMusico	WWang
DBarss	TTerry
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ZCruz	GStirewalt
TCheng	SGonzalez

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