

September 4, 2007

Dr. W. Ray Luce, Division Director and Deputy SHPO
State Historic Preservation Officer
Historic Preservation Division
Department of Natural Resources
34 Peachtree Street, NW Suite 1600
Atlanta, GA 0303-2316

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE ELECTRIC GENERATING
PLANT (VEGP) SITE

Dear Dr. Luce:

The U.S. Nuclear Regulatory Commission (NRC) staff contacted you by letter dated October 12, 2006, in regard to an application for an early site permit (ESP) for the potential future construction of one or more new nuclear power plants. If built, the new unit(s) would be located at the existing Vogtle Electric Generating Plant (VEGP) site, which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

The NRC staff prepared its draft environmental impact statement (EIS) under the provisions of Title 10 of the Code of *Federal Regulations* Part 51 (10 CFR Part 51), the NRC rules that implement the National Environmental Policy Act of 1969, as amended (NEPA). In addition, as outlined in 36 CFR 800.8, "Coordination with the National Environmental Policy Act," the NRC plans to coordinate compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA) in meeting the requirements of NEPA. In accordance with our letter to you dated October 12, 2006, a copy of the draft EIS is enclosed. We are requesting your comments on the draft EIS and on our preliminary conclusions regarding historic properties.

If approved, the ESP will document the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of one or more new nuclear plants. The ESP would not authorize the applicant to begin construction of the unit(s). However, in its review, the NRC staff will evaluate the environmental impacts of construction and operation and will also consider alternatives, including alternative sites.

Southern Nuclear Operating Company, Inc. (Southern) has also included a site redress plan in its application in accordance with 10 CFR 52.17(c) and 52.25. If a site redress plan is included in an ESP approved by the NRC, the applicant may carry out certain site preparation and limited construction activities. See Part 4 of the application for the associated site redress plan. Southern would still be required to obtain the appropriate local, State, and other Federal permits required for these activities prior to starting work.

In the context of the NHPA, the NRC staff has determined that the area of potential effects (APE) for this ESP review is the area at the power plant site and its immediate environs which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s).

The APE may extend beyond the immediate environs in those instances where these land-disturbing activities may potentially have an effect on known or proposed historic sites. This determination is made irrespective of ownership or control of the lands of interest.

In its application, Southern has stated that, prior to any activities that would disturb existing ground conditions, it would assess the need, in coordination with the Georgia Historic Preservation Division, to undertake subsurface investigations for the identification of potentially significant historic or cultural resources in the area(s) to be disturbed. In addition, Southern has stated that it would implement the necessary administrative steps to make proper notifications in the event of an unanticipated discovery (including human remains).

Pursuant to 36 CFR 800.2(c)(2)(ii), the NRC staff has conducted an environmental audit at the site and has reviewed historic and archaeological records. The NRC staff also contacted twenty-five Native American Tribes identified as having potential interest in the proposed undertaking. To date, no comments have been received.

In the context of the NEPA, under which the draft environmental impact statement was prepared, the NRC staff's preliminary determination is that the impact granting the ESP on historical and archaeological resources is moderate, and additional mitigation might be warranted. Under the provisions of the NHPA, the NRC staff's preliminary determination is that no historic properties will be affected by the proposed action.

Please note that the period for public comment expires on November 28, 2007. If your office requires additional time, or if there are any other questions regarding this correspondence, please have your representative contact me at 301-415-3053 or by email at MDN@nrc.gov.

Sincerely,

/RA/

Mark D. Notich, Environmental Project Manager
Division of Site and Environmental Review
Office of New Reactors

Docket No.: 52-011

Enclosure: As stated

cc w/o encl: See next page

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Sincerely,

/RA/

Mark D. Notich, Environmental Project Manager
Division of Site and Environmental Review
Office of New Reactors

Docket No.: 52-011

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ADAMS ACCESSION No.: ML072470645

*See Concurrence Previous

OFFICE	PM:DSER:RAP1	GS:DSER:RAP1	LA:DSER:RAP1	OGC	BC:DSER:RAP1
NAME	M. Notich*	C. Guerrero*	G. Hawkins*	JRund*	W. Burton
DATE	08/24/2007	08/21//2007	08/30/2007	08/29/2007	08/31/2007

OFFICIAL RECORD COPY

Letter to Dr. W Ray Luce from Mark D. Notich dated: September 4, 2007

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE ELECTRIC GENERATING
PLANT (VEGP) SITE

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M. Notich

C. Guerrero

C. Araguas

W. Burton

R. Karas

C. Munson

Y. Li

J. Rund

S. Gonzalez

G. Stirewalt

J. Dehmel

C. Hinson

G. Bagchi

H. Ahn

S. Raul-Monarch

G. Hawkins

ESP ER Southern Nuclear Vogtle Mailing List
cc:

Chief
Radiological Emergency Preparedness Br.
Nuclear and Chemical Preparedness
and Protection Division
Dept of Homeland Security
1800 South Bell St., Room 837
Crystal City-Arlington, VA 22202-3546

Ms. Alberta Anderson
State Representative
414 W. 8th Street
Waynesboro, GA 30830

Mr. Alphonso Andrews
832 Blakeney St.
Waynesboro, GA 30830

Mr. John Angil, Director
57 Wall Street
Barneswell, SC 29812

Ms. Mary M. Asbill
Emory Law School
1301 Clifton Road
Atlanta, GA 30322

Attorney General
Law Department
132 Judicial Building
Atlanta, GA 30334

Ms. Sara Barczak
428 Bull Street, Suite 201
Savannah, GA 31401

Mr. Chip Barefield
P.O. Box 19
Waynesboro, GA 30830

Ms. Betty Beard
Commissioner - District 1
Augusta-Richmond County Commission
One 7th Street, Suite 1703
River Place Condos
Augusta, GA 3001

Mr. J. Bernie Beasley, Jr., P.E.
Chairman, President and CEO
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201

Mr. Curtis Bell
628 Myrick St.
Waynesboro, GA 30830

Mr. Brad Bennett
607 14th Street, NW
Washington, DC 20005

Mr. Laurence Bergen
Oglethorpe Power Corporation
2100 East Exchange Place
P.O. Box 1349
Tucker, GA 30085-1349

Mr. Dwaine Biggerstaff
Mayor
City of Lincolnton
P.O. Box 324
Lincolnton, GA 30817

Mr. Elizabeth Billips
The True Citizen
P.O. Box 948
Waynesboro, GA 30830

ESP ER Southern Nuclear Vogtle Mailing List

-2-

cc:

Ms. Reba Black
317 Liberty Street
Waynesboro, GA 30830

Mr. M. Stanford Blanton, Esq.
Balch and Bingham, LLP
P.O. Box 306
Birmingham, AL 35201

Mr. Sam Booher
4387 Roswell Drive
Augusta, GA 30907

Mr. Frank Bove
6558 Parkside Way
Tucker, GA 30084

Ms. Michele Boyd
Legislative Director
Energy Program
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Arthur Brengetts
Augusta Technical College
3200 Augusta Tech Dr.
Augusta, GA 30906

Ms. Krista Brewer
250 Georgia Avenue
Atlanta, GA 30312

Ulmer Bridges
3077 Hwy 17W
Wrens, GA 30833

Ms. Cindy Brizes
U.S. Dept of Energy
P.O. Box A
Aiken, SC 29802

Mr. William F. Brizes
5 Pine Needle Circle
Aiken, SC 29803

Ms. Sue Burmeister
State Representative
P.O. Box 212176
Augusta, GA 30917-2176

Mr. Dick Byne
537 Jones Avenue
Waynesboro, GA 30830

Mr. Fred Cavanaugh, Mayor
5 Burgundy Road
Aiken, SC 29801

Mr. Andy Cheek
Commissioner - District 6
Augusta-Richmond County Commission
2129 Howard Road
Augusta, GA 30906

Mr. Jerry Coalson
City Manager
628 Myrick St.
Waynesboro, GA 30830

Ms. Pat Cochran
P.O. Box 18055
Atlanta, GA 30316-0055

Mr. Richardson Colclough
Commissioner - District 4
Augusta-Richmond County Commission
3508 Monte Carlo Drive
Augusta, GA 30906

Mr. Deye Copenhaver, Mayor
530 Greene Street, Room 806
Augusta, GA 30911

ESP ER Southern Nuclear Vogtle Mailing List

-3-

cc:

Carol Couch
Director
Environmental Protection Division
Georgia Department of Natural Resources
2 Martin Luther King Dr., SE
Suite 1152, East Tower
Atlanta, GA 30334

County Commissioner
Office of the County Commissioner
Burke County Commission
Waynesboro, GA 30830

Mr. Greg Coursey
Burke County Sheriff
225 Hwy 24 S
Waynesboro, GA 30830

Mr. Wayne Crockett
P.O. Box 724
Waynesboro, GA 30830

Mr. Ron Cross
Chairman
Columbia County Commission
P.O. Box 498
Evans, GA 30809 Augusta, GA 30906

Ms. Marci Culley
495 Kelly Street, NE
Atlanta, GA 30312

Ms. Christa C. Davis
350 Folkstone Circle
Augusta, GA 30907

Mr. James Davis
ESP Project Manager
Southern Nuclear Company
P.O. Box 1295, BIN B056
Birmingham, AL 35201

G. C. Desai
902 Liberty Street
Waynesboro, GA 30830

Director
Consumer's Utility
Counsel Division
Governor's Office of Consumer Affairs
2 Martin Luther King, Jr.
Plaza Level East, Suite 356
Atlanta, GA 30334-4600

Mr. Jimmy Dixon
Chairman
P.O. Box 27
Girard, GA 30426

Mr. Arthur H. Domby, Esq.
Troutman Sanders
Nations Bank Plaza
600 Peachtree Street, NW
Suite 200
Atlanta, GA 3030-2216

Terry Elan
3200 Augusta Tech. Dr.
Augusta, GA 30906

Mr. Charlie English
OHS GEMA
P.O. Box 18055
Augusta, GA 30906

Mr. Marvin Fertel
Senior Vice President and
Chief Nuclear Officer
Nuclear Energy Institute
1776 I Street, NW
Suite 400
Washington, DC 20006-3708

ESP ER Southern Nuclear Vogtle Mailing List

-4-

cc:

Mr. John D. Finley
PO Box 131
Sardis, GA 30456

Mr. Barry Fleming
State Representative
170 West Forrest Street
Harlem, GA 30814

Ms. Debra Foutch
WSRC Emergency Management
Building 703-43A, Room 34-6
Aiken, SC 29808

Mr. Douglas Fuller, Mayor
Mayor
2100 East Exchange Place
Tucker, GA 30084-5336

Mr. Carlos Garcia
955 Colony Parkway
Aiken, SC 29803

Mr. Jeffrey T. Gasser
Executive Vice President
Southern Nuclear Operating Company
P.O. Box 1295
Birmingham, AL 35201-1295

Mr. Richard L. Geddes
807 Big Pine Road
North Augusta, SC 29841

Ms. Hazel Gerlinger
509 Jones Avenue
Waynesboro, GA 30830

Ms. Judith E. Gordon
5452 Clanton Woods Drive
Evans, GA 30809

Mr. John Graham
Chairman
Warren County Commission
P.O. Box 46
Warrenton, GA 30828

Mr. Don Grantham
Commissioner
District 10 Augusta
Richmond County Commission
808 Quail Court
Augusta, GA 30909

Mr. Ed Grunewald, Mayor
P.O. Box 10
Girard, GA 30426

Mr. John Hamilton, Mayor
P.O. Box 398
Sardis, GA 30456

Mr. Freddie Handy
Commissioner, District 9
Augusta-Richmond County Commission
2700 Richmond Hill Road
Augusta, GA 30906

Mr. Bobby Hankerson
Commissioner - District 5
3312 Balkcom Drive
Augusta, GA 30906

Mr. Dave Hanley
327 Barlow Drive
Waynesboro, GA 30830

Mr. Ben Harbin
State Representative
471 Cox Road
Evans, GA 30809

ESP ER Southern Nuclear Vogtle Mailing List

-5-

cc:

Mr. James Hardeman, Manager
Radiological Programs
Georgia Dept. of Natural Resources
4244 International Pkwy, Suite 114
Augusta, GA 30354

Mr. Dub Harper
Chairman
636 Cherokee Dr.
Waynesboro, GA 30830

O. C. Harper, IV
Vice President - Resources Planning
and Nuclear Development
Georgia Power Company
241 Ralph McGill Boulevard
Atlanta, GA 30308

Mr. Bill Harrell
629 East 46th Street
Savannah, GA 31406

Mr. Woodrow Harvey
199 Gresham Ave.
Gough, GA 30811

Mr. William Hatcher
3111 Vasser Drive
Augusta, GA 30909

Ms. Kim Haynes
2100 E. Exchange Place
Tucker, GA 30084

Ms. Earnestine Howard
State Representative
2514 Pate Avenue
Augusta, GA 30906

Mr. Jim Hussey
1058 Claussen Road
Suite 105
Augusta, GA 30907

Mr. Steven M. Jackson
Sr. Engineer - Power Supply
Municipal Electric Authority of Georgia
1470 Riveredge Pkwy, NW
Atlanta, GA 30328-4684

Mr. Ted Jackson
Program Mgr.
Environmental Emergency and
Radiation Program
2 Martin Luther King Jr. Drive, SE
Suite 1452, Floyd Towers East
Atlanta, GA 30334

Mr. Johnny Jenkins, Chairman
114 W. 6th Street
Waynesboro, GA 30830

Mr. Charles Jennings
134 Blythe Road
Hephzibah, GA 30815

Mr. Chick Jones
628 Myrick St.
Waynesboro, GA 300830

Ms. Ella Jones
Vice President
Augusta Technical College
South Campus
216 Hwy 24 South
Waynesboro, GA 30830

Ms. Barbara Joyce
471 Seminole Avenue, NE
Atlanta, GA 30307

ESP ER Southern Nuclear Vogtle Mailing List

-6-

cc:

Terri Lodge Kelly
955 Hwy 56 N
Waynesboro, GA 30830

Mr. Ronald Kinney
South Carolina DHEC
2600 Bull Street
Columbia, SC 29201

Mr. Robert E. Knox, Jr., Mayor
City of Thomson
228 Lee Street
Thompson, GA 30824

Beryl Landis
902 Rosier Road
Waynesboro, GA 30830

Mr. Jeffrey Larson, Program Manager
Georgia Department of Natural Resources
4220 International Parkway
Suite 101
Atlanta, GA 30354

Mr. Willie Lattimore, Vice President
789 Perimeter Road
Waynesboro, GA 30830

Mr. Neal Leonard
628 Myrick St.
Waynesboro, GA 30830

Mrs. Preston Lewis
516 Forest Drive
Waynesboro, GA 30830

Mr. Preston B. Lewis
510 Forest Drive
Waynesboro, GA 30830

Mr. Louis B. Long
Vice President Technical Support
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201-1295

Mr. Wendell Lyon
318 Asbury Church Road
Waynesboro, GA 30830
Mr. Scott MacGregor
P.O. Box 1837
Augusta, GA 30903

Mr. Gail H. Marcus
U.S. Department of Energy
Room 5A-143
1000 Independence Avenue, SW
Washington, DC 20585

Mr. Reece McAllister
Executive Secretary
Georgia Public Service Commission
Atlanta, GA 30334

Mr. Thomas O. McCallum
ESP Project Manager
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201-1295

Mr. Gerald J. McCoy
271 Stonington Drive
Martinez, GA 30907

Ms. Barbara Miller
2518 River Road
Waynesboro, GA 30830

ESP ER Southern Nuclear Vogtle Mailing List

-7-

cc:

Mr. Joseph (Buzz) Miller
Senior Vice President
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201-1295

Mr. Thomas P. Miller
U.S. Department of Energy
NE-20, Room A286
Headquarters - Germantown
19901 Germantown Road
Germantown, MD 20874-1290

Mr. Marshall A. Miller, IV
624 Miller's Pond Road
Waynesboro, GA 30830

Mr. David Mohley
221 Shady Oak Lane
Waynesboro, GA 30830

Mr. Ernest Moore
2779 Fish Habitat Road
West Columbia, SC 29172

Mr. Thomas Moorer
ESP Project Manager
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201-1295

Mr. Quincy Murphy
State Representative
3238 Peach Orchard Road
Augusta, GA 30909

Ms. Emma Oliver
209 14th Street, NE
Suite 218 Atlanta, GA 30309

Ms. Mary Olsen
NIRS SE
P.O. Box 7586
Asheville, NC 28802

Mr. Ron Osborne, Director
South Carolina EMD
1100 Fish Hatchery Road
West Columbia, SC 29172

Ms. Carolyn Paiz
2100 E. Exchange Place
Tucker, GA 30084

Ms. Karen Patterson
Tetra Tech NUS
900 Trail Ridge Road
Aiken, SC 299803

Mr. Donny Pelfrey
175 Shane Lane
Waynesboro, GA 30830

Carrie Phillip
P.O. Box 1295
Birmingham, AL 35201

Mr. Charles R. Pierce
ESP Project Manager
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, AL 35201-1295

Delisa Pournaras
42 Inverness Center Pkwy
B234
Birmingham, AL 35242

ESP ER Southern Nuclear Vogtle Mailing List

-8-

cc:

Mr. J. B. Powell
State Senator
228 Church Street
Blythe, GA 30805

Ms. Deborah Raburn
563 Poole Melton Road
Blythe, GA 30805

Mr. Roy Rearden
Commissioner - District 7
Augusta-Richmond County Commission
PO Box 145
Augusta, GA 30909

Mr. Harold Reheis
Director
Department of Natural Resources
205 Butler Street, SE, Suite 1252
Atlanta, GA 30334

Resident Inspector
Vogtle Plant
8805 River Road
Waynesboro, GA 30830

Resident Manager
Oglethorpe Power Corporation
Alvin W. Vogtle Nuclear Plant
8805 River Road
Waynesboro, GA 30830

Mr. Tom Reynolds
P.O. Box 227
Waynesboro, GA 30830

Mr. Douglas Rhodes
3587 Hancock Landing
Waynesboro, GA 30830

Mr. Wilbert Roberts
764 US Highway 25
Waynesboro, GA 30830

Ms. Jennifer A. Royal
351 Liberty Street
Waynesboro, GA 30830

Mr. David Ruth
EP Coordinator
Aiken County Emergency Services
828 Richland Avenue West
Aiken, SC 29801

Mr. Stephen Sacco
P.O. Box 145
Tybec Island, GA 31328

Mr. Rocky Sams, President
1265 Perry Avenue
Sardis, GA 30456

Mr. Larry Sanders
Emory Law School
1301 Clifton Road
Atlanta, GA 30322

Ms Linda Sanders, Director
Allendale County EPA
P.O. Box 129
Allendale, SC 29810

Mr. Rusty Sanders, Director
Burke County EMA
P.O. Box 51-B
Waynesboro, GA 30830

Ms. Nicole Saxon
710 Peachtree Street, NE
#732
Atlanta, GA 30308

ESP ER Southern Nuclear Vogtle Mailing List

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cc:

Lonnie Sello
176 Salem Circle
Waynesboro, GA 30830

Mr. Mike Sherberger
Director
OHS GEMA
P.O. Box 18055
Atlanta, GA 30316-0055

Ms. Barbara Sims
Commissioner - District 3
Augusta-Richmond County Commission
10 Retreat Road
Augusta, GA 30909

Trinetta Skinner
628 Myrick Street
Waynesboro, GA 30830

James D. Smith
605 West 4th Street
Waynesboro, GA 30830

Mr. Jerry Smith
Commissioner
District 8
Augusta-Richmond County Commission
1332 Brown Road
Hephzibah, GA 30815

Reverend J.J. Smith
1008 Hwy 56 North
Waynesboro, GA 30830

Clinton E. Stanford
P.O. Box 71
Waynesboro, GA 30830

Mr. Jesse Stone-Mayor
642 N. Liberty Street
Waynesboro, GA 30830

A. Suer
455 Cambridge Way
Augusta, GA 30907

Mr. Robert E. Sweeney
IBEX ESI
4641 Montgomery Avenue
Suite 350
Bethesda, MD 20814

Eugene Tanzymore
P.O. Box 503
Hephzibah, GA 30815

Mr. Ed Tarver
State Senator
801 Broad Street, 7th Floor
Augusta, GA 30901

George B. Taylor, Jr.
2100 East Exchange Pl
Atlanta, GA 30084-1295

Bentina C. Terry
Southern Nuclear Operating Company, Inc.
P.O. Box 1295, BIN B-022
Birmingham, AL 35201-1295

Ms. Sandra Threatt
South Carolina DHEC
2600 Bull Street
Columbia, SC 29201

Bill Tinley
204 Redbud lane
Waynesboro, GA 30830

Mr. Henry Tinley
307 Spring Valley Road
Waynesboro, GA 30830

ESP ER Southern Nuclear Vogtle Mailing List

cc:

-10-

Reverend Charles Utley
3318 Surry Place
Augusta, GA 30906

Mr. George Waksmynski
United Electrical Union
140 Sherwood Drive
Waynesboro, VA 22980

J.C. Walden
1001 Betty Walden Road
Blythe, GA 30805

Mr. Merv Waldrop
County Administrator
Board of Commissioners
P.O. Box 89
Waynesboro, GA 30830

Mr. Pete Warren
State Representative
112 Bennock Mill Road
Augusta, GA 30906

Mr. R. J. White
Nuclear Coordinator
S.C. Public Service Authority
c/o Virgil C. Summer Nuclear Station
P.O. Box 88, Mail Code 802
Jenkinsville, SC 29065

Mr. Jim Whitehead
State Senator
4715 Silverlake Drive
Evans, GA 30809

Cofield Widner
241 Ralph Magill Blvd
Atlanta, GA 30308

Mr. Marion Williams
Commissioner - District 2
Augusta-Richmond County Commission
1941 Kratha Drive
Augusta, GA 30906

Mr. Willie Williams
628 Myrick St.
Waynesboro, GA 30830

Mr. Louis Zeller
BREDL
P.O. Box 88
Glendale Springs, NC 28629

ESP ER Southern Nuclear Vogtle Mailing List

cc:

-11-

Email

APH@NEI.org (Adrian Heymer)
awc@nei.org (Anne W. Cottingham)
bennettS2@bv.com (Steve A. Bennett)
BrinkmCB@westinghouse.com (Charles Brinkman)
chris.maslak@ge.com (Chris Maslak)
crpierce@southernco.com (C.R. Pierce)
CumminWE@Westinghouse.com (Edward W. Cummins)
cwaltman@roe.com (C. Waltman)
david.hinds@ge.com (David Hinds)
david.lewis@pillsburylaw.com (David Lewis)
dlochbaum@UCSUSA.org (David Lochbaum)
DNorton@Thomson-McDuffie.net (Don Norton)
erg-xl@cox.net (Eddie R. Grant)
frankq@hursttech.com (Frank Quinn)
greshaja@westinghouse.com (James Gresham)
gzinke@entergy.com (George Alan Zinke)
james.beard@gene.ge.com (James Beard)
jgutierrez@morganlewis.com (Jay M. Gutierrez)
jim.riccio@wdc.greenpeace.org (James Riccio)
jim@ncwarn.org (Jim Warren)
JJNesrsta@cpsenergy.com (James J. Nesrsta)
john.o'neil@pillsburylaw.com (John O'Neil)
Joseph.savage@ge.com (Joseph Savage)
Joseph_Hegner@dom.com (Joseph Hegner)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
lynchs@gao.gov (Sarah Lynch - Meeting Notices Only)
maria.webb@pillsburylaw.com (Maria Webb)
mark.beaumont@wsms.com (Mark Beaumont)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
mcaston@southernco.com (Monica Caston)
media@nei.org (Scott Peterson)
mike_moran@fpl.com (Mike Moran)
nirsnet@nirs.org (Michael Mariotte)
patriciaL.campbell@ge.com (Patricia L. Campbell)
paul@beyondnuclear.org (Paul Gunter)
paul.gaukler@pillsburylaw.com (Paul Gaukler)
pshastings@duke-energy.com (Peter Hastings)
RJB@NEI.org (Russell Bell)
RKTemple@cpsenergy.com (R.K. Temple)
roberta.swain@ge.com (Roberta Swain)
ronald.hagen@eia.doe.gov (Ronald Hagen)
sandra.sloan@areva.com (Sandra Sloan)
SauerB@BV.com (Robert Sauer)
sfrantz@morganlewis.com (Stephen P. Frantz)
steven.hucik@ge.com (Steven Hucik)
tomccall@southernco.com (Tom C. Call)
waraksre@westinghouse.com (Rosemarie E. Waraks)