

August 28<sup>th</sup>, 2008

G. Paul Bollwerk, III, Chair  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dr. James F. Jackson  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Nicholas G. Trikouros  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

In the Matter of  
SOUTHERN NUCLEAR OPERATING CO.  
(Early Site Permit for Vogtle ESP Site)  
Docket No. 52-011-ESP

Dear Administrative Judges:

Pursuant to the Licensing Board's Memorandum and Order dated April 3, 2007, the Staff herein provides to the Board and the parties as an enclosure to this letter an index identifying additions to the Hearing File, as required to be disclosed by the Staff in accordance with 10 C.F.R. § 2.336(d). The index contains the ADAMS accession number, date, and title of each enumerated document so as to make each document readily retrievable from the agency's website, [www.nrc.gov](http://www.nrc.gov), using the ADAMS "Find" function. Additionally, the Staff will add the indexed documents to the folder in the agency's Electronic Hearing Docket ("EHD") associated with this proceeding, entitled "Vogtle Hearing File." Also enclosed, as required by 10 C.F.R. § 2.336(c), is the Affidavit of Christian J. Araguas.

In accordance with the Licensing Board's April 3, 2007 Order, relieving all parties from the obligation of producing privilege logs, as otherwise required by 10 C.F.R. §§ 2.336(a)(3) and

Judge Bollwerk  
Judge Trikouros  
Judge Jackson

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August 28<sup>th</sup>, 2008

2.336(b)(5), the Staff is not producing privilege logs at this time. As directed by the Licensing Board, the Staff shall preserve and maintain all privileged and/or otherwise protected documents during the pendency of this proceeding.

Respectfully submitted,

**/signed (electronically) by/**  
Patrick A. Moulding  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, DC 20555-0001  
(301) 415-2549  
Patrick.Moulding@nrc.gov

Dated at Rockville, Maryland  
This 28<sup>th</sup> day of August, 2008

Enclosures: Enclosure 1: Hearing File Index  
Affidavit of Christian J. Araguas

## ENCLOSURE 1

VOGTLE ESP HEARING FILE INDEX  
UPDATE 17 - August 28, 2008

	Accession Number	Document Date	Title/Description:
17-1	ML082120478	06/30/2008	"Vogtle Early Site Permit Application, Groundwater Model Development & Analysis." Part 2 of 2.
17-2	ML082170304	06/30/2008	"Vogtle Early Site Permit Application, Groundwater Model Development & Analysis." Part 1 of 2.
17-3	ML081910396	08/08/2008	Final Environmental Impact Statement for an Early Site Permit (ESP) at the Vogtle Electric Generating Plant Site (TAC MD3010).
17-4	ML082400078	08/08/2008	2008/08/08 Vogtle ESP e-mail - DRAFT Revision 4 of ESP FFD program description for LWA scope
17-5	ML081910113	08/13/2008	Notice of Availability of the Final Environmental Impact Statement for an Early Site Permit at the Vogtle Electric Generating Plant Site (Tac No. MD3010).
17-6	ML082110294	08/13/2008	Letter- Issuance of the Final Environmental Impact Statement (DEIS) for the Vogtle Early Site Permit (ESP) Application at the Vogtle ESP Site.
17-7	ML082280539	08/14/2008	Site Visit to Vogtle to Observe Erection of a Mechanically Stabilized Earth (MSE) Demonstration retaining Wall to Support Early Site Permit, Limited Work Authorization, and Combined License Activities.
17-8	ML082400077	08/14/2008	2008/08/14 Vogtle ESP e-mail - SNC Letter AR-08-1171 Transmitting Response to RAI Letter No. 11 Involving Vibratory Ground Motion and LWA
17-9	ML082400145	08/18/2008	2008/08/18 Vogtle ESP e-mail - Hydro Phone Call
17-10	ML082400076	08/20/2008	2008/08/20 Vogtle ESP e-mail - LWA FFD scope

17-11	ML082400074	08/21/2008	2008/08/21 Vogtle ESP e-mail - FW: AR-08-1286 Part 2
17-12	ML082400075	08/21/2008	2008/08/21 Vogtle ESP e-mail - FW: AR-08-1286_Part 1
17-13	ML082400072	08/22/2008	2008/08/22 Vogtle ESP e-mail - SNC Letter AR-08-1286 transmitting VEGP ESP Response to RAI #11 Involving Groundwater (Part 2 of 2)
17-14	ML082400073	08/22/2008	2008/08/22 Vogtle ESP e-mail - SNC Letter AR-08-1286 transmitting VEGP ESP Response to RAI #11 Involving Groundwater (Part 1 of 2)
17-15	ML082240145	08/31/2008	NUREG-1872, Vol. 1, "Final Environmental Impact Statement for an Early Site Permit (ESP) at the Vogtle Electric Generating Plant Site."
17-16	ML082240165	08/31/2008	NUREG-1872, Vol 2, "Final Environmental Impact Statement for an Early Site Permit (ESP) at the Vogtle Electric Generating Plant Site," Final Report, Appendices A through J.
17-17	ML082260203	08/31/2008	NUREG-1872, Vol. 2, "Final Environmental Impact Statement for an Early Site Permit (ESP) at the Vogtle Electric Generating Plant Site," Final Report, Appendix F.

August 21, 2008

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
SOUTHERN NUCLEAR OPERATING CO. ) Docket No. 52-011-ESP  
 )  
(Early Site Permit for Vogtle ESP Site) )

AFFIDAVIT OF CHRISTIAN J. ARAGUAS CONCERNING  
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. § 2.336(d)

I, Christian J. Araguas, do hereby state as follows:

1. I am employed as a Project Manager in the AP1000 Projects Branch 1 of the Division of New Reactor Licensing in the Nuclear Regulatory Commission's ("NRC") Office of New Reactors. I serve as project manager for the NRC's review of the early site permit application submitted by Southern Nuclear Operating Company, at issue in this proceeding.

2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336(d) in the captioned proceeding have been disclosed, in accordance with the Atomic Safety and Licensing Board's Order dated April 3, 2007, and that the disclosures are accurate and complete as of the date of this certification.

3. I hereby certify under penalty of perjury that the foregoing is true and complete to the best of my knowledge, information, and belief.

**Executed in Accord with 10 CFR § 2.304(d)**

Christian J. Araguas  
Project Manager, AP1000 Projects Branch 1  
Division of New Reactor Licensing  
U.S. Nuclear Regulatory Commission  
Mail Stop T-7 E18  
Washington, DC 20555-0001  
(301) 415-3637  
CJA2@nrc.gov

Executed in Rockville, MD  
this 21<sup>st</sup> day of August, 2008

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
SOUTHERN NUCLEAR OPERATING CO. ) Docket No. 52-011-ESP  
 )  
(Early Site Permit for Vogtle ESP Site) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated August 28<sup>th</sup>, 2008, providing notice of the availability of an update to the hearing file per 10 C.F.R. § 2.336(d), with enclosures, together with the affidavit of Christian J. Araguas, have been served upon the following persons by Electronic Information Exchange this 28<sup>th</sup> day of August, 2008:

Administrative Judge  
G. Paul Bollwerk, III, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: gpb@nrc.gov)

Administrative Judge  
Nicholas G. Trikouros  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: ngt@nrc.gov)

Administrative Judge  
James Jackson  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: jackson538@comcast.net)

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: ocaamail@nrc.gov)

Emily Krause  
Law Clerk  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: emily.krause@nrc.gov)

Office of the Secretary  
ATTN: Docketing and Service  
Mail Stop 0-16C1  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
(E-mail: HEARINGDOCKET@nrc.gov)

Diane Curran, Esq.  
Harmon, Curran, Spielberg &  
Eisenberg, LLP  
1726 M Street, NW  
Suite 600  
Washington, DC 20036  
(E-mail: dcurran@harmoncurran.com)

M. Stanford Blanton, Esq.  
Peter D. LeJeune, Esq.  
C. Grady Moore, III, Esq.  
Kenneth C. Hairston, Esq.  
Balch & Bingham LLP  
1710 Sixth Avenue North  
Birmingham, AL 35203-2014  
(E-mail: sblanton@balch.com;  
plejeune@balch.com;  
kchairston@balch.com;  
gmoore@balch.com)

Steven P. Frantz, Esq.  
Kathryn M. Sutton, Esq.  
Paul M. Bessette, Esq.  
Mary Freeze  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
(E-mail: sfrantz@morganlewis.com;  
ksutton@morganlewis.com;  
pbessette@morganlewis.com;  
mfreeze@morganlewis.com)

Lawrence D. Sanders, Esq.  
Turner Environmental Law Clinic  
Emory University School of Law  
1301 Clifton Road  
Atlanta, GA 30322  
(E-mail: lsanders@law.emory.edu)

Moanica Caston, Esq.  
Southern Nuclear Operating Co., Inc.  
40 Inverness Center Parkway  
P.O. Box 1295, Bin B-022  
Birmingham, AL 35201-1295  
(E-mail: mcaston@southernco.com)  
Copy provided by e-mail only

Jeffrey Stair, Esq.  
Georgia Public Service Commission  
244 Washington Street  
Atlanta, GA 30334  
(E-mail: jeffreys@psc.state.ga.us)  
Copy provided by e-mail only

**/signed (electronically) by/**  
Patrick A. Moulding  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, DC 20555-0001  
(301) 415-2549  
Patrick.Moulding@nrc.gov