September 11, 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, 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

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 11th day of September, 2008

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

**ENCLOSURE 1**

**VOGTLE ESP HEARING FILE INDEX**
**UPDATE 18 – September 11, 2008**

| | Accession Number | Document Date | Title/Description: |
|---|---|---|---|
| 18-1 | ML082480450 | 08/11/2008 | A Biological Assessment for the Shortnose Sturgeon for the Vogtle Electric Generating Plant Early Site Permit Application. |
| 18-2 | ML082410440 | 08/21/2008 | Vogtle Early Site Permit Application, Response to Request for Additional Information Letter No. 11 Involving Groundwater. |
| 18-3 | ML082550012 | 09/11/2008 | 2008/09/11 Vogtle ESP e-mail - FW: NMFS Letter of 11 Aug 08 |

September 4, 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 4th day of September, 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 September 11, 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 11th day of September, 2008:

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