

November 20, 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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November 20, 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/**  
Jody C. Martin  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
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(301) 415-1569  
Jody.Martin@nrc.gov

Dated at Rockville, Maryland  
This 20<sup>th</sup> day of November, 2008

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

## ENCLOSURE 1

VOGTLE ESP HEARING FILE INDEX  
UPDATE 23 – November 20, 2008

	Accession Number	Document Date	Title/Description:
23-1	ML083230092	12/31/1997	Results of Annual Tritium Project Base Flow Studies, Burke County, Georgia 1991-1995.
23-2	ML083230104	05/31/2006	Draft Environmental Assessment Finding of No Significant Impact Drought Contingency Plan Update Savannah River Basin, May 2006.
23-3	ML083230088	01/12/2007	USGS Topographic Map, Vogtle Nuclear Power Plant Burke County for Southern Company, January 12, 2007.
23-4	ML073240580	05/03/2007	Vogtle, Units 1 and 2 - Groundwater Monitoring Plan for Radionuclides.
23-5	ML083240361	10/22/2007	Energy Information Administration Electric Power Annual with Data for 2006, Dated October 22, 2007.
23-6	ML083230087	12/31/2007	2007 Local Climatological Data Annual Summary of Comparative Data, Augusta Georgia (KAGS).
23-7	ML083230090	12/31/2007	Southern Winds, Summary Project Report 2007, A Study of Wind Power Generation Potential off the Georgia Coast.
23-8	ML083170096	10/02/2008	2008/10/02 Vogtle ESP e-mail - Proposed 2_5_4 Design Reference Changes (2).doc
23-9	ML082620184	10/14/2008	Vogtle Site Audit Trip Report for August 2008.
23-10	ML083100585	10/20/2008	Comment (1) of Heinz J. Mueller on Behalf of the U.S. Environmental Protection Agency on Final Environmental Impact Statement on Vogtle ESP for Construction and Operation of a new Nuclear Power Generating Facility Application.

23-11	ML083230089	10/27/2008	Waynesboro-Thurmond Discharge, Date (01.22.05-10.27.08).
23-12	ML080290522	11/01/2008	Vogtle ESP Advanced SER Appendix A - Permit Conditions, COL Action Items, Site Characteristics, Bounding Parameters, and Inspections, Test, Analyses, and Acceptance Criteria.
23-13	ML082910958	11/01/2008	Vogtle ESP Advanced SER Appendix C - References.
23-14	ML082911088	11/01/2008	Vogtle ESP Advanced SER Appendix D - Principal Contributors.
23-15	ML082960025	11/01/2008	Vogtle ESP Advanced SER Appendix B - Chronology of An ESP & Limited Work Authorization Request for the VEGP Site.
23-16	ML082970453	11/01/2008	Vogtle ESP Advanced SER Chapter 1 - Abstract, Executive Summary.
23-17	ML083150585	11/01/2008	Vogtle ESP Advanced SER Chapter 2.1 - 2.4 - Site Characteristics.
23-18	ML083150591	11/01/2008	Vogtle ESP Advanced SER Chapter 2.5 - Geology, Seismology and Geotechnical Engineering.
23-19	ML083150610	11/01/2008	Vogtle ESP Advanced SER Chapter 3 - Site Safety Assessment.
23-20	ML083150614	11/01/2008	Vogtle ESP Advanced SER Chapter 11 - Radiological Effluent Release Dose.
23-21	ML083150617	11/01/2008	Vogtle ESP Advanced SER Chapter 13 - Conduct of Operations.
23-22	ML083150623	11/01/2008	Vogtle ESP Advanced SER Chapter 15 - Accident Analysis.

23-23	ML083150628	11/01/2008	Vogtle ESP Advanced SER Chapter 17 - Quality Assurance Program Description.
23-24	ML083150632	11/01/2008	Vogtle ESP Advanced SER Chapter 18 - Review by ACRS.
23-25	ML083150635	11/01/2008	Vogtle ESP Advanced SER Chapter 19 - Conclusions.
23-26	ML083150627	11/12/2008	Advanced Safety Evaluation Report For The Vogtle Electric Generating Plant Early Site Permit Application.
23-27	ML083170463	11/12/2008	Transmittal of the Advanced Safety Evaluation Report for the Vogtle Electric Generating Plant Early Site Permit Application And Limited Work Authorization Request.
23-28	ML083230503	11/12/2008	2008/11/12 Vogtle ESP e-mail - RE: Advanced Safety Evaluation Report on the VEGP ESP and LWA Part 3b/3
23-29	ML083230505	11/12/2008	2008/11/12 Vogtle ESP e-mail - RE: Advanced Safety Evaluation Report on the VEGP ESP and LWA Part 3a/3
23-30	ML083230841	11/12/2008	2008/11/12 Vogtle ESP e-mail - Signed Cover Letter for the Advanced SER
23-31	ML083230842	11/12/2008	2008/11/12 Vogtle ESP e-mail - Advanced Safety Evaluation Report on the VEGP ESP and LWA Part 3b/3
23-32	ML083230845	11/12/2008	2008/11/12 Vogtle ESP e-mail - Advanced Safety Evaluation Report on the VEGP ESP and LWA - Part 1/3
23-33	ML083230847	11/12/2008	2008/11/12 Vogtle ESP e-mail - Advanced Safety Evaluation Report on the VEGP ESP and LWA Part 3/3
23-34	ML083230854	11/12/2008	2008/11/12 Vogtle ESP e-mail - Advanced Safety Evaluation Report on the VEGP ESP and LWA

23-35	ML083230855	11/12/2008	2008/11/12 Vogtle ESP e-mail - Advanced Safety Evaluation Report on the VEGP ESP and LWA Part 3a/3
23-36	ML083230857	11/12/2008	2008/11/12 Vogtle ESP e-mail - RE: Advanced Safety Evaluation Report on the VEGP ESP and LWA Part 3a/3
23-37	ML083230840	11/13/2008	2008/11/13 Vogtle ESP e-mail - RE: Advanced SER on Vogtle ESP/LWA
23-38	ML083230564	11/17/2008	2008/11/17 Vogtle ESP e-mail - ND-08-1779 SER Proprietary Response Letter
23-39	ML083230838	11/17/2008	2008/11/17 Vogtle ESP e-mail - NRC Issues Advanced SER for VEGP ESP and LWA
23-40	ML083230562	11/18/2008	2008/11/18 Vogtle ESP e-mail - SNC-ND-08-1779 VEGP ESP Application Resp.to Advanced Safety Eval. Report
23-41	ML083230836	11/18/2008	2008/11/18 Vogtle ESP e-mail - ACRS Agenda
23-42	ML083240363	11/18/2008	Progress Energy, Option for Baseload Generation, 11/18/2008.
23-43	ML083240170	11/19/2008	2008/11/19 Vogtle ESP e-mail - Flows at NPDES facilities on Savannah River
23-44	ML083240362	11/19/2008	Data from Thurmond Dam Discharge and USGS Gauge #021973269 Near Waynesboro, GA, Accessed 11/6/2008.

November 20, 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  
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Executed in Rockville, MD  
this 20<sup>th</sup> day of November, 2008

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
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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 November 20, 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 20<sup>th</sup> day of November, 2008:

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