

December 30, 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 Mark D. Notich.

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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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 30th day of December, 2008

Enclosures: Enclosure 1: Hearing File Index
Affidavit of Mark D. Notich

ENCLOSURE 1**VOGTLE ESP HEARING FILE INDEX
UPDATE 26 – December 30, 2008**

	Accession Number	Document Date	Title/Description:
26-1	ML083520607	04/22/2000	US Dept. of the Army, Corps of Engineers, Planning Guidance Notebook.
26-2	ML083530593	12/03/2008	Transcript of ACRS Early Site Permit (Vogtle) Subcommittee, on December 3, 2008, Pages 1-337 and Related Handouts.
26-3	ML083440021	12/22/2008	Final Review of the Vogtle Electric Generating Plant Early Site Permit Application and Limited Work Authorization Request and the Associated Safety Evaluation Report
26-4	ML083570643	12/22/2008	2008/12/22 - Vogtle - Carol L. Bernstein Statement of Professional Qualifications.
26-5	ML083570655	12/22/2008	2008/12/22 - Vogtle - Roger E. LaFond, Jr. Statement of Professional Qualifications.
26-6	ML083570664	12/22/2008	2008/12/22 - Vogtle - Lyle Maciejewski Statement of Professional Qualifications.
26-7	ML083570694	12/22/2008	2008/12/22 - Vogtle - Stanley L. Simpson Statement of Professional Qualifications.
26-8	ML083640541	12/23/2008	2008/12/23 Vogtle ESP e-mail - ND-08-1930 Future Inc. VEGP of ESPA Rev.5
26-9	ML083640542	12/23/2008	2008/12/23 Vogtle ESP e-mail - ESPA Revision 5 Submittal

December 30, 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 MARK D. NOTICH CONCERNING
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. § 2.336(d)

I, Mark D. Notich, do hereby state as follows:

1. I am employed as a Senior Project Manager in the New Reactors Environmental Projects Branch of the Division of Site and Environmental Reviews in the Nuclear Regulatory Commission's ("NRC") Office of New Reactors. I serve as the environmental 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 December 23, 2008.

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)

Mark D. Notich, Senior Project Manager
Division of Site and Environmental Reviews,
Office of New Reactors
U.S. Nuclear Regulatory Commission
Mail Stop T-7 E18
Washington, DC 20555-0001
(301) 415-3053
Mark.Notich@nrc.gov

Executed in Rockville, MD
this 30th day of December, 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 December 30, 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 Mark D. Notich, have been served upon the following persons by Electronic Information Exchange this 30th day of December, 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