

January 13, 2009

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

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.

In addition, the Staff has determined that some publicly-available documents included as references in the Staff's Final Environmental Impact Statement were inadvertently not listed in the Staff's previous updates to the Hearing File. The Staff has informed the other parties to this proceeding of this determination and has listed these references in the attached hearing file update and either provided an ADAMS number for accessing the document or indicated that the document is otherwise publicly available.

Respectfully submitted,

/signed (electronically) by/
Patrick A. Moulding
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
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(301) 415-2549
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Dated at Rockville, Maryland
This 13th day of January, 2009

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

ENCLOSURE 1

VOGTLE ESP HEARING FILE INDEX
UPDATE 27 – January 13, 2009

	Accession Number	Document Date	Title/Description:
27-1	N/A	1995	Richmond, A.M. and B. Kynard. 1995. "Ontogenetic Behavior of Shortnose Sturgeon, <i>Acipenser brevirostrum</i> ." <i>Copeia</i> 1995(1):72-182. [Document is Publicly Available]
27-2	N/A	1997	Collins M.R. and T.I.J. Smith. 1997. "Distributions of Shortnose and Atlantic Sturgeon in South Carolina." <i>North American Journal of Fisheries Management</i> , 17:995-1000. [Document is Publicly Available]
27-3	ML0900060104	05/06/2003	2003/05/06-Vogtle - Nichols 2003, Conservation Strategy For Robust Redhorse (<i>Moxostoma robustum</i>).
27-4	ML0900020383	04/30/2006	Vogtle ESP Emergency Planning, ASLB Enclosure 2 Evacuation Time Estimate (ETE).
27-5	ML0900050449	01/05/2009	2009/01/05-Resume for William George Bailey, U.S. Army Corps of Engineers, SPQ.
27-6	ML0900060090	01/06/2009	2009/01/06 - Vogtle- Georgia Department of Natural Resources, Wildlife Resources Division 2008 - Locations of Special Concern, Animals, Plants and Natural Communities in Burke County, Georgia.
27-7	ML0900060126	01/06/2009	2009/01/06-Vogtle - South Carolina Department of Natural Resources (SCDNR) 2008.
27-8	ML0900060219	01/06/2009	2009/01/06 - Vogtle, Intergovernmental Panel on Climate Change 2007: Synthesis Report.
27-9	ML0900060226	01/06/2009	2009/01/06 - Vogtle, USGRCP National Assessment.
27-10	ML0900060290	01/06/2009	2009/01/06 - Vogtle - AP1000 DCD Revising 15 and 16 Value Summary of Cooling System Flow Rate Changes.

27-11	ML090060759	01/06/2009	2009/01/06 - Vogtle - Regional Ground-Water Discharge to Large Streams in the Upper Coastal Plain of South Carolina and Parts of North Carolina and Georgia.
27-12	ML090120899	01/12/2009	2009/01/12 Vogtle ESP e-mail - ASLB ASER Questions

January 13, 2009

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 January 6, 2009.

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 13th day of January, 2009

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 January 13, 2009, 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 13th day of January, 2009:

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