

PMFermiCOLPEm Resource

From: Lemont, Stephen
Sent: Thursday, August 13, 2009 11:26 AM
To: Randall Westmoreland
Cc: LaGory, Kirk E.; Hayse, John; FermiCOL Resource
Subject: RE: Fermi 3 Documents Provided with RAI Responses but Not for Docketing
Attachments: Fermi 3 Docs. Provided with RAI Responses but Not for Docketing (as of 7-31-09).doc

Randy,

The attachment to this email lists all of the documents and other items identified in Detroit Edison's RAI responses, dated June 16 and July 31, 2009, which have been provided in Detroit Edison reading rooms but have not been submitted to NRC for docketing. Please review and let me know if anything is missing from this list.

As we discussed during a conference call on July 17, 2009, regarding the June 16 RAI responses, NRC needs certain documents and other items to be submitted by Detroit Edison for docketing. This is because these items will be cited as references in the EIS, and all cited EIS references must be readily publicly available either in ADAMS or elsewhere. In a follow-up conversation, we discussed that, for various reasons, Detroit Edison could not release these items for docketing, and agreed that (a) NRC would prioritize its documentation needs where possible; (b) Detroit Edison would closely examine whether certain withheld items could be submitted for docketing on or before December 30, 2009; and (c) NRC and Detroit Edison would work together cooperatively to identify mutually agreeable approaches that would allow for the information to be docketed that is specifically needed by the NRC for EIS references.

As we discussed yesterday, NRC and its contractors are in the process of reviewing the subject documents to determine whether we need all or part(s) of these to be submitted by Detroit Edison for docketing and if Detroit Edison could provide for docketing certain information we need in alternate formats. NRC and its contractors are already working on this, but will not be able to complete this effort for the items in the attachment, and for any subsequent items of this type identified in future Detroit Edison RAI response submittals, until Detroit Edison's virtual reading room web portal is available to us. That is why I previously requested that Detroit Edison accelerate the process of getting this portal up and running. All items need to be submitted by Detroit Edison under oath or affirmation.

In addition, I requested that Detroit Edison now take a second look at these items and decide, based on recent and ongoing developments (e.g., the issuance of the Fermi Contention Order) or other factors, on whether some of these items (as well as such items identified in future RAI responses) could be submitted for docketing now or at least by December 30, 2009 or sooner. Please let me know which documents fall into this category, and submit them for docketing as soon as possible.

Thanks,
Steve

Stephen Lemont, Ph.D.

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Subject: RE: Fermi 3 Documents Provided with RAI Responses but Not for Docketing
Sent Date: 8/13/2009 11:26:10 AM
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From: Lemont, Stephen

Created By: Stephen.Lemont@nrc.gov

Recipients:

"LaGory, Kirk E." <lagory@anl.gov>
Tracking Status: None
"Hayse, John" <hayse@anl.gov>
Tracking Status: None
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MESSAGE	2895	8/13/2009 11:26:11 AM
Fermi 3 Docs. Provided with RAI Responses but Not for Docketing (as of 7-31-09).doc		
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Options

Priority: Standard
Return Notification: No
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Provided with June 19, 2009 RAI Response Submittal:

RAI AE5.3.1.2-1

- *“Bay Shore Power Plant Cooling Water Intake Structure Information and I&E Sampling Data,”* January 2008
- *“Report On Source Water and Cooling Water Data and Impingement Mortality and Entrainment Characterization for Monroe Power Plant,”* July 2008.

RAI HY2.3.1-2

- Fermi 1 and Fermi 2 construction drawings:
 - DWG# 6C721-24;
 - 6C721-9 (Fermi 1);
 - 6C721-32;
 - 6C721-23;
 - 6C721-33;
 - 6M721-2130;
 - 6M721-2250; and
 - 6C721-40.

RAI HY2.3.1-14

- *DTE Energy Nuclear Generation Memorandum*, January 5, 2005
- *EnviroSolutions Remedial Action Plan Closure Report (Fuel Tank Release)*, Dec. 2007
- *NPMA-05-0001*
- *ACRES International Comprehensive Report #P13827.00*, July 2001
- *Facsimile to Mick Blunden from Mike Parrish*, 12/19/2000, containing dredging map
- *January 2001 Dredging Story* (handwritten note)
- *Storm Water Pollution Prevention Plan for Fermi 2 Plant, Rev. 7*
- *Facsimile to Mike Parrish from Mick Blunden*, 01/03/2001
- *Detroit Edison Final Siting Study Report.*

RAI SE2.5.4-1

- *copies of all correspondence and documentation of personal communications used to support the analysis in the ER sections on environmental justice.*

RAI SE4.4.2-1

- *copies of all correspondence and documentation of personal communications used to support the analysis in the ER sections on education.*

RAI SE4.4.2-2

- *copies of all correspondence and documentation of personal communications used to support analysis in the ER sections on public safety and social services.*

RAI SE4.4.2-3

- *copies of all correspondence and documentation of personal communications used to support analysis in the ER sections on public utilities*

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RAI SE4.4.2-4

- *copies of all correspondence and documentation of personal communications used to support analysis in the ER sections on tourism and recreation.*

RAI SE5.11-2

- *copies of all correspondence and documentation of personal communications used to support the cumulative impact analysis presented in the ER, including but not limited to discussions with local government authorities on current or future activities/projects (public or private) in the vicinity of the Fermi site.*

RAI TE2.4.1-2

- Terrestrial (Vegetation and Wildlife) ecology survey interim reports.

RAI TE2.4.1-4

- *"Wildlife Management Plan for DTE Fermi Property."* 2000.

RAI TE2.4.1-5

- *"Wildlife Management Program Re-Certification for Fermi Power Plant."* July 2002.

RAI TE2.4.1-6

- *"Wetland Delineation/Wetlands Functional Values Assessment Report."*

RAI TE2.4.1-8

- *Ducks Unlimited's (DU's) anecdotal fox snake sighting map.*

Provided with July 31, 2009 RAI Response Submittal

RAI AE2.4.2-1

- *copies of correspondence with Federal and State agencies (U.S. Fish and Wildlife Service [USFWS], Michigan Department of Natural Resources [DNR], Ohio DNR, Canadian agencies, etc.) regarding potential impacts to aquatic species and monitoring studies for Fermi 3.*

RAI CR4.1.3-1

- *correspondence documentation that have been discussed between Detroit Edison, its consultants, and SHPO, regarding cultural resources and/or historic properties in the direct and/or indirect areas of potential effect (APEs) for Fermi 3, and Fermi 1 and 2 as they relate to Fermi 3. (3 documents—not specified).*

RAI HH5.3.4-1

- *documentation related to the consultation with the Michigan Department of Community Health on infectious diseases associated with Lake Erie for the last 10 years.*

RAI TE2.4.1-3

- email from Tameka Dandridge (USFWS) to Ralph E. Brooks (B&V), *"Subject: Endangered Species List request for Enrico Fermi Facility in Monroe Michigan"* November 26, 2007 (with attachment)

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- two other records documenting contact with the Michigan Department of Natural Resources.