

January 3, 2011

Ronald M. Spritzer, Chair  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Michael F. Kennedy  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Randall J. Charbeneau  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

In the Matter of  
Detroit Edison Co.  
Docket No. 52-033-COL  
(Fermi Nuclear Power Plant, Unit 3)

Dear Administrative Judges:

Pursuant to the Board's Order dated September 11, 2009, 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 item so as to make the item 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 "Fermi Hearing File." Also attached, as required by 10 C.F.R. § 2.336(c), is the Affidavit of Jerry Hale.

In accordance with the Licensing Board's September 11, 2009, Order, relieving all parties from the obligation of producing privilege logs, as 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. However, in accordance with the September 11 Order, the Staff shall produce a log of documents withheld as containing proprietary information, though there are no such documents being withheld at this time. As directed by the Licensing Board, the Staff shall preserve and maintain all privileged documents during the pendency of this proceeding.

Respectfully submitted,

**/signed (electronically) by/**  
Robert Weisman  
Counsel for the NRC Staff

Enclosures: Attachment 1: Hearing File Index  
Affidavit of Jerry Hale

**Attachment 1****Fermi COL Hearing File and Mandatory Disclosures  
Hearing File Index  
Update 14 – January 3, 2011**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title</b>
14-1	ML103490465	10/12/2010	Attachment 8 - Supplemental Response to RAI Letter Related to Fermi 3 ER.
14-2	ML103260455	11/19/2010	Fermi 3 - Response to NRC Requests for Additional Information Letter No. 44.
14-3	ML103260480	11/19/2010	Fermi, Unit 3, Response to NRC Request for Additional Information Letter No. 47.
14-4	ML103260483	11/19/2010	Detroit Edison Co., Response to NRC Request for Additional Information (RAI) Letter No. 46.
14-5	ML103470089	11/19/2010	2010/11/19 Fermi COL - Conference Call Notes from the Fermi 3 COLA Environmental Review Teleconference Meeting--Monday November 15, 2010
14-6	ML103270142	11/23/2010	Request For Additional Information Letter No. 48 Related to the SRP Section 13.3 and 13.07 For The Fermi 3 COL Application.
14-7	ML103470088	11/24/2010	2010/11/24 Fermi COL - Conference Call Notes from the Fermi 3 COLA Environmental Review Teleconference Meeting--Monday November 22, 2010
14-8	ML103470086	11/29/2010	2010/11/29 Fermi COL - RE: Request for Phone # and Code for DTE Teleconference calls Monday Nov 29th & Dec 6th
14-9	ML103470085	12/02/2010	2010/12/02 Fermi COL - Conference Call Notes from the Fermi 3 COLA Environmental Review Teleconference Meeting--Monday November 29, 2010
14-10	ML103430028	12/09/2010	Request For Additional Information Letter No. 49 Related to SRP Sections 2.3.1, 2.3.3, 2.3.5, and 13.6.6 for the Fermi 3 COL Application.
14-11	ML103470142	12/09/2010	Fermi 3 - Updates to the COLA Reflecting Incorporation of DCD Rev. 7 and 8 Changes to Standard Plant Site Parameter - Soil Properties Requirements.
14-12	ML103510062	12/15/2010	2010/12/15 Fermi COL - Conference Call Notes from December 14, 2010--Fermi 3 Environmental Review
14-13	ML103350640	12/16/2010	Fermi Nuclear Power Plant, Unit 3, Combined License Application Review Schedule.
14-14	ML103500155	12/16/2010	Request For Additional Information Letter No. 50 Related To SRP Section 17.5 For The Fermi 3 COL Application.

January 3, 2011

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of	)	
	)	
DETROIT EDISON CO.	)	Docket No. 52-033-COL
	)	
(Fermi Nuclear Power Plant, Unit 3)	)	

AFFIDAVIT OF JERRY HALE CONCERNING  
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. § 2.336(d)

I, Jerry Hale, do hereby state as follows:

1. I am employed as a Project Manager in the ESBWR/ABWR Projects Branch 1 of the Division of New Reactor Licensing in the Nuclear Regulatory Commission's ("NRC") Office of New Reactors. I serve as the project manager for the NRC's review of the Combined License application submitted by Detroit Edison Co., 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 and that the disclosures are accurate and complete as of December 17, 2010.

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)**

Jerry Hale  
Project Manager, ESBWR/ABWR Projects Branch 1  
Division of New Reactor Licensing  
U.S. Nuclear Regulatory Commission  
Mail Stop T-6 D38M  
Washington, DC 20555-0001  
(301) 415-8148  
Jerry.Hale@nrc.gov

Executed in Rockville, MD  
this 3rd day of January, 2011

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
 )  
DETROIT EDISON CO. ) Docket No. 52-033  
 )  
 )  
(Fermi Nuclear Power Plant, Unit 3) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated January 3, 2011, providing notice of the availability of an update to the hearing file made pursuant to 10 C.F.R. § 2.336(d), with attachments, together with the affidavit of Jerry Hale, have been served upon the following persons by Electronic Information Exchange and electronic mail this 3rd day of January, 2011:

Ronald M. Spritzer, Chair  
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**/Signed (electronically) by/**

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Dated at Rockville, Maryland  
this 3rd day of January, 2010