

July 1, 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, 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 herein produces a log of the documents withheld as containing proprietary information. 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/
Robert M. Weisman
Counsel for the NRC Staff

Enclosures: Attachment 1: Hearing File Index
Attachment 2: Privilege Log
Affidavit of Jerry Hale

Attachment 1

**Fermi COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 20 – July 1, 2011**

	Accession Number	Document Date	Title
20-1	ML111590571	05/09/2011	Enrico Fermi Atomic Power Plant - Fermi 3 Power Plant Licensing, Section 16, 17, 19, 20, 21, 28 & 29, T6S, R10E, Frenchtown Township, Monroe County.
20-2	ML11153A026	05/24/2011	Fermi 3, Detroit Edison Company Supplemental Response to NRC Request for Additional Information (RAI) Letter No. 51.
20-3	ML11175A146	05/24/2011	2011/05/24 Fermi COL - Draft RAIs on Chapter 11 and 12.
20-4	ML11175A157	05/24/2011	2011/05/24 Fermi COL - FW: Conference Details (MAY 26, 2011--08:30 AM ET--Conf# 7994229)
20-5	ML11151A065	05/25/2011	Fermi 3, Response to NRC Request for Additional Information Letter No. 56.
20-6	ML11179A177	05/25/2011	2011/05/25 Fermi COL - Meeting Minutes--Conference Call for the Fermi 3 COL Environmental Review--Monday, May 23, 2011, 2:00 PM Eastern Time
20-7	ML11172A165	05/26/2011	2011/05/26 Fermi COL - FW: Re: Copy of Fermi 2 Air Permit
20-8	ML11172A266	05/26/2011	2011/05/26 Fermi COL - PREDECISIONAL FW: Potential Fermi 1 Interested Parties
20-9	ML111470214	05/27/2011	Request For Additional Information Letter No. 57 Related To SRP Chapter 11 For The Fermi 3 Combined License Application.
20-10	ML111470225	05/27/2011	Request For Additional Information Letter No. 58 Related To SRP Chapter 12 For The Fermi 3 Combined License Application.
20-11	ML11151A199	05/27/2011	Fermi 3 Schedule for the Submittal of Site-Specific Soil-Structure Interaction Analysis and Response to NRC Request for Additional Information Letter No. 55.
20-12	ML11175A162	05/31/2011	2011/05/31 Fermi COL - RAIs for Chapters 11 and 12
20-13	ML11172A371	06/02/2011	2011/06/02 Fermi COL - FW: Fermi 1's Nuclear Historic Landmark status
20-14	ML11175A158	06/06/2011	2011/06/06 Fermi COL - Fw: DTE FTP Instructions
20-15	ML11179A179	06/09/2011	2011/06/09 Fermi COL - Conference Call for the Fermi 3 COL Environmental Review--Monday, June 6, 2011, 2:00 PM Eastern Time

	Accession Number	Document Date	Title
20-16	ML111610161	06/10/2011	Section 1: Background Material for Fermi 3 COL ASER: Section 2.3.3, Review of Original Onsite Meteorological Date Set.
20-17	ML111610193	06/10/2011	Part 1: Background Material for Fermi 3 COL ASER: Section 2.3.4 ARCON96 Results.
20-18	ML111610196	06/10/2011	(Continuation) Part 2: Background Material for Fermi 3 COL ASER: Section 2.3.4 ARCON96 Results.
20-19	ML111610238	06/10/2011	Part 1: Background Material for Fermi 3 COL ASER: Section 2.3.5, XOQDOQ runs
20-20	ML111610240	06/10/2011	(Continuation) Part 2: Background Material for Fermi 3 COL ASER: Section 2.3.5, XOQDOQ Runs.
20-21	ML111610245	06/10/2011	(Continuation) Part 3: Background Material for Fermi 3 COL ASER: Section 2.3.5, XOQDOQ Runs.
20-22	ML111610248	06/10/2011	(Continuation) Part 4: Background Material for Fermi 3 COL ASER: Section 2.3.5, XOQDOQ Runs.
20-23	ML111640599	06/13/2011	Date Change: June 27, 2011 Teleconference with Detroit Edison Company to Discuss Responses to Requests for Additional Information for the Fermi 3 Project Environmental Review.
20-24	ML111650053	06/14/2011	Part 1: Background Material for Fermi 3 COL ASER: Section 2.3.3, Onsite Meteorological Data Analyses.
20-25	ML111650056	06/14/2011	Part 2: Background Material for Fermi 3 COL ASER: Section 2.3.3, Onsite Meteorological Data Analyses.
20-26	ML111650060	06/14/2011	Part 3: Background Material for Fermi 3 COL ASER: Section 2.3.3, Onsite Meteorological Data Analyses.
20-7	ML111650061	06/14/2011	Part 4: Background Material for Fermi 3 COL ASER: Section 2.3.3, Onsite Meteorological Data Analyses.
20-28	ML111650063	06/14/2011	Part 5: Background Material for Fermi 3 COL ASER: Section 2.3.3, Onsite Meteorological Data Analyses.
20-29	ML11175A160	06/15/2011	2011/06/15 Fermi COL - Follow up to Fermi 3 phone call with DE (Non-Public)
20-30	ML11171A296	06/17/2011	Detroit Edison Company Response to NRC Questions Related to the Environmental Review-Site Selection Process.

	Accession Number	Document Date	Title
20-31	ML11171A297	06/17/2011	Detroit Edison Company Response to NRC Request for Additional Information Letter Nos. 57 and 58, and Supplemental Response to NRC Request For Additional Information Letter No. 4.
20-32	ML11171A565	06/17/2011	Fermi 3 Site-Specific SSI Analyses Insert 3.7.2.4-1 to Table 3.8.5-203.
20-33	ML11171A568	06/17/2011	Detroit Edison Company Response to NRC Request for Additional Information Letter No. 55 and Submittal of Site-Specific Soil-Structure Interaction Analyses.
20-34	ML11171A569	06/17/2011	Combined License Application Part 2: Final Safety Analysis Report Figure 3.7.1-201 to 3.7.1-252
20-35	ML11175A163	06/17/2011	2011/06/17 Fermi COL - Fw: Responses to RAI Letters Nos. 55, 57, and 58
20-36	ML11172A168	06/20/2011	2011/06/20 Fermi COL - FW: Table/graph for question 5
20-37	ML111720636	06/21/2011	Fermi 3, Request For Additional Information Letter No. 61 Related To The SRP Section 1.0 For The COL Application.
20-38	ML111720644	06/21/2011	Attachment - Cross-Reference of Regulations and Regulatory Guidance In Support of Review of Part 30/40 License Application vs. Part 52 COLA Content.

Attachment 2

**Fermi COL Hearing File and Mandatory Disclosures
Privilege Log – Proprietary Information
Update 20 – July 1, 2011**

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding have been determined by the NRC Staff to contain trade secrets, privileged or confidential commercial or financial information subject to withholding from public disclosure pursuant to 10 C.F.R. § 2.390. Pursuant to 10 C.F.R. § 2.336(b)(5), the Staff is providing this log to identify the following documents, designated “proprietary,” and subject to protected status under Section 2.390.

Accession Number	Author Name/ Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Pages
20-1	NRC/NRO	2011/05/25 Fermi COL - SUNSI Info. - Non-Public	05/25/2011	E-Mail	Detroit Edison	Security-Related Information	3
20-2	Anand R K, NRC/NRO/DN RL/BWR	Request For Additional Information Letter No. 59 Related To The SRP Chapter 19 For The Fermi 3 Combined License Application.	06/03/2011	Letter Request for Additional Information (RAI)	Davis J M, Detroit Edison	Security-Related Information	3
20-3	NRC/NRO	2011/06/13 Fermi COL - Fermi 3- Dispersation of fuel in the SFP in a 1(Hot) by 4(Cold) pattern	06/13/2011	E-Mail	NRC/NRO/DN RL/NGE1	Security-Related Information	3

	Accession Number	Author Name/ Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Pages
20-4	ML111710965	Anand R K, NRC/NRO/DN RL/BWR	Request For Additional Information Letter No. 60 Related to SRP Chapter 19 For the Fermi 3 Combined License Application.	06/21/2011	Letter Request for Additional Information (RAI)	Davis J M, Detroit Edison	Security-Related Information	3

July 1, 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 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 June 15, 2011.

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 1st day of July, 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 July 1, 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 1st day of July, 2011:

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/Signed (electronically) by/

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Dated at Rockville, Maryland
this 1st day of July, 2011