

November 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 Adrian Muniz.

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). 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
Affidavit of Adrian Muniz

Attachment 1

**Fermi COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 24 – November 1, 2011**

| | Accession Number | Document Date | Title |
|-------|-------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 24-1 | ML11293A141 | 09/02/2011 | Fermi COL - RE: Fermi Section 10.2.3 RAI Letter #67 (courtesy copy) |
| 24-2 | ML11293A142 | 09/02/2011 | Fermi COL - Fermi Section 10.2.3 RAI Letter #67 (courtesy copy) |
| 24-3 | ML112351095 | 09/07/2011 | Safety Evaluation Report with Open Items for Chapter 05, Reactor Coolant System and Connected Systems, for Fermi Unit 3. |
| 24-4 | ML112660005 | 09/16/2011 | Letter Regarding Concurrence in the Release of the Fermi 3 Draft EIS for Public Comment. |
| 24-5 | ML112620645 | 09/19/2011 | MNFI 2007c. |
| 24-6 | ML112650418 | 09/20/2011 | Proposed Fermi 3 Mitigation Site Information for Review and Comment (File Number 10-58-011-P). |
| 24-7 | ML112650427 | 09/20/2011 | Letter from Randall D. Westmoreland to Ms. Colette Luff: Proposed Fermi 3 Mitigation Information for Review and Comment (File Number 10-58-011-P). |
| 24-8 | ML11293A136 | 09/20/2011 | Fermi COL - FW: Fermi Audit Report |
| 24-9 | ML112580548 | 09/21/2011 | Safety Evaluation - Chapter 19, "Probabilistic Risk Assessment and Severe Accidents". |
| 24-10 | ML112560380 | 09/22/2011 | Memorandum To ACRS: Advanced Final Safety Evaluation For Chapter 17, "Quality Assurance." |
| 24-11 | ML112630120 | 09/22/2011 | Fermi Unit 3 Combined License Application - Advanced Final Safety Evaluation for Chapter 17.0, "Quality Assurance". |
| 24-12 | ML112660017 | 09/22/2011 | MNFI 2010 Michigan's Special Animals. |
| 24-13 | ML112630304 | 09/23/2011 | Fermi Unit 3 - Combined License Application - Advanced Final Safety Evaluation For Chapter 19, Attachment 19.B, "Loss of Large Areas Of The Plant Due To Explosions or Fires (LOLA)." |
| 24-14 | ML112660012 | 09/23/2011 | LSL Planning Inc. |
| 24-15 | ML112660172 | 09/23/2011 | Our Good Neighbors. |

| | Accession Number | Document Date | Title |
|-------|-------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 24-16 | ML112660175 | 09/23/2011 | Ventower, Wind Turbine Tower Fabricator and Supplier Located in Port of Monroe, Michigan at Lake Erie. |
| 24-17 | ML112660176 | 09/23/2011 | Midwestrail, Route Map. |
| 24-18 | ML112660188 | 09/23/2011 | NRC 2011 Davis-Besse. |
| 24-19 | ML11269A095 | 09/23/2011 | Fermi 3, Response to NRC Request for Additional Information Letter No. 66. |
| 24-20 | ML11269A225 | 09/23/2011 | Fermi 3, Detroit Edison Company Response to NRC Request for Additional Information, (RAI) Letter No. 66. |
| 24-21 | ML11270A014 | 09/23/2011 | Fermi 3 - Submittal of Physical Security Plan, Revision 5. |
| 24-22 | ML112560354 | 09/26/2011 | Letter to Applicant - Advanced Final Safety Evaluation for Chapter 5, "Reactor Coolant System and Connected Systems" for The Fermi Unit 3 COL Application. |
| 24-23 | ML112560382 | 09/26/2011 | Letter To Applicant - Advanced Final Safety Evaluation For Chapter 17, "Quality Assurance" Regarding The Fermi Unit 3 COL Application. |
| 24-24 | ML112580266 | 09/26/2011 | Letter: Fermi Nuclear Power Plant, Unit 3 Combined License Application Review Schedule. |
| 24-25 | ML112640028 | 09/26/2011 | Summary of the Audit Conducted on the Material Specification for the Fermi Unit 3 Turbine Rotor, August 3, 2011. |
| 24-26 | ML112690005 | 09/26/2011 | MDELEG Wind Chart 2. |
| 24-27 | ML112720021 | 09/29/2011 | Notice of Teleconference with Detroit Edison Company to Discuss RAIs for the Fermi 3 Project Environmental Review. |
| 24-28 | ML112720110 | 09/29/2011 | Summary of Meeting Between NRC and DTE to Discuss Responses to Request for Additional Information for the Fermi 3 Project Review. |
| 24-29 | ML11293A140 | 09/29/2011 | Fermi COL - RE: Fermi OI Call - NOTE TIME CHANGE |
| 24-30 | ML112660179 | 09/30/2011 | MNFI 2007b Karner Blue Butterfly. |
| 24-31 | ML11276A095 | 09/30/2011 | Detroit Edison Company - Response to NRC Request for Additional Information Letter No. 67. |
| 24-32 | ML11293A127 | 09/30/2011 | Fermi COL - Re: Courtesy copy of Fermi schedule letter |
| 24-33 | ML11293A130 | 09/30/2011 | Fermi COL - Courtesy copy of Fermi schedule letter |
| 24-34 | ML11293A131 | 09/30/2011 | Fermi COL - Courtesy Copy of NRC3-11-0040 |

| | Accession Number | Document Date | Title |
|-------|-------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 24-35 | ML11286A089 | 10/11/2011 | Detroit Edison Company Update on Wildlife Reconnaissance Surveys at the Fermi 3 Site Related to Part 3, "Environmental Report," of the Fermi 3 COLA. |
| 24-36 | ML112500143 | 10/13/2011 | Letter: Notification Of Finding Of Adverse Effect On A Historic Property And Associated Memorandum Of Agreement For The Proposed Construction Of Fermi Nuclear Power Plant, Unit 3, Based On The Combined License Application Review. |
| 24-37 | ML112500147 | 10/13/2011 | Fermi 3 Cultural Resources Area of Potential Effects. |
| 24-38 | ML112780234 | 10/13/2011 | MOA for Fermi 1 Demolition - Final Draft 10/4/11. |
| 24-39 | ML11293A126 | 10/17/2011 | Fermi COL - FW: 10/24/11 Teleconference with Detroit Edison Company to Discuss Responses to Request for Additional Information for the Fermi 3 Project Environmental Review |
| 24-40 | ML11293A134 | 10/17/2011 | Fermi COL - Re: DTE reps at 10/21 ACRS meeting |
| 24-41 | ML11293A135 | 10/17/2011 | Fermi COL - DTE reps at 10/21 ACRS meeting |
| 24-42 | ML11293A137 | 10/17/2011 | Fermi COL - Fermi Chapter 16 draft slides |
| 24-43 | ML11293A138 | 10/17/2011 | Fermi COL - Fermi Draft staff's slides for Chapters 6 and 19. Thanks. |
| 24-44 | ML11293A143 | 10/18/2011 | Fermi COL - New Draft FERMI Chp 10 RAI #6071 |
| 24-45 | ML112920072 | 10/19/2011 | Summary of September 29, 2011, Public Conference Call With Detroit Edison Regarding COL Open Items. |
| 24-46 | ML11293A133 | 10/19/2011 | Fermi COL - Detroit Edison's ACRS presentations |
| 24-47 | ML11293A144 | 10/19/2011 | Fermi COL - Re: Slides are due today at noon and bridge line |
| 24-48 | ML11287A108 | 10/31/2011 | NUREG-2105, Vol 1 DFC "Draft Environmental Impact Statement for Combined License (COL) for Enrico Fermi Unit 3" Draft for Comment. |
| 24-49 | ML11287A109 | 10/31/2011 | NUREG-2105, Vol 2 DFC "Draft Environmental Impact Statement for Combined License (COL) for Enrico Fermi Unit 3" Draft for Comment. |

November 1, 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-COL
)
(Fermi Nuclear Power Plant, Unit 3))

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

I, Adrian Muñiz, do hereby state as follows:

1. I am employed as a Project Manager in the ESBWR/ABWR Projects Branch 2 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 October 20th, 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)

Adrian Muñiz
Project Manager, ESBWR/ABWR
Projects Branch 2
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
Mail Stop T6-D38M
Washington, DC 20555-0001
(301) 415-4093
Adrian.Muniz@nrc.gov

Executed in Rockville, MD
this 1st day of November, 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 November 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 Adrian Muniz, have been served upon the following persons by Electronic Information Exchange and electronic mail this 1st day of November, 2011:

Ronald M. Spritzer, Chair
Administrative Judge
Atomic Safety and Licensing Board
Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: Ronald.Spritzer@nrc.gov

Office of Commission Appellate
Adjudication
Mail Stop O-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail:OCAAmail@nrc.gov

Michael F. Kennedy
Administrative Judge
Atomic Safety and Licensing Board
Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: Michael.Kennedy@nrc.gov

Office of the Secretary
ATTN: Docketing and Service
Mail Stop: O-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: HEARINGDOCKET@nrc.gov

Randall J. Charbeneau
Administrative Judge
Atomic Safety and Licensing Board
Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: Randall.Charbeneau@nrc.gov

Bruce R. Matters
Detroit Edison Company
One Energy Plaza, 688 WCB
Detroit, Michigan 48226
E-mail: matersb@dteenergy.com

David Repka, Esq.
Tyson R. Smith, Esq.
Counsel for the Applicant
Winston & Strawn, LLP
1700 K Street, NW
Washington, DC 20006-3817
E-mail: drepka@winston.com
trsmith@winston.com

Terry J. Lodge, Esq.
Counsel for Petitioners
316 N. Michigan St., Ste. 520
Toldeo, OH 43604-5627
E-mail: tjlodge50@yahoo.com

/Signed (electronically) by/
Robert M. Weisman
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-15 D21
Washington, DC 20555-0001
(301) 415-1696
Robert.Weisman@nrc.gov

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