

November 15, 2011

Administrative Judge, Chairman
Michael M. Gibson
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Administrative Judge
Dr. Anthony J. Baratta
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Administrative Judge
Dr. Mark O. Barnett
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

In the Matter of
EXELON NUCLEAR TEXAS HOLDINGS, LLC
(Victoria County Station Site)
Docket No. 52-042

Dear Administrative Judges:

Pursuant to the Board's Scheduling Order dated August 10, 2011, 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 "Victoria Stn Hearing File." Also attached, as required by 10 C.F.R. § 2.336(c), is the Affidavit of Tekia Govan.

In accordance with the Licensing Board's August 10, 2011 Order, relieving all parties from the obligation of producing privilege logs, as otherwise 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 August 10 Order, the Staff shall produce a log of documents withheld as containing proprietary, security-related, or safeguards information. In preparing the enclosed Hearing File Index update, the Staff has not identified any document for inclusion on the log of documents withheld as containing proprietary, security-related, or safeguards information. 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/

Sarah W. Price
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Enclosures: Attachment 1: Hearing File Index
Attachment 2: Affidavit of Tekia Govan

Attachment 1**Victoria County Station ESP Hearing File and Mandatory Disclosures
Hearing File Index
Update 4 – November 15, 2011**

	Accession Number	Document Date	Title\Description
4-1	ML11312A306	10/07/2011	2011/10/07 Victoria ESP - RE: Clarification Call Status
4-2	ML11312A305	10/11/2011	2011/10/11 Victoria ESP - FW: RAI 2.5.1 Figures
4-3	ML11312A298	10/17/2011	2011/10/17 Victoria ESP - Please find attached RAI Letter #13
4-4	ML11312A302	10/18/2011	2011/10/18 Victoria ESP - FW: NRC calls with TDEM and County EMCs
4-5	ML11312A301	10/18/2011	2011/10/18 Victoria ESP - FW: NRC calls with TDEM and County EMCs
4-6	ML11312A300	10/18/2011	2011/10/18 Victoria ESP - FW: Texas EP Call
4-7	ML11312A299	10/18/2011	2011/10/18 Victoria ESP - RE: NRC calls with TDEM and County EMCs
4-8	ML11312A303	10/19/2011	2011/10/19 Victoria ESP - RE: NRC-Texas EP Calls
4-9	ML11312A304	10/20/2011	2011/10/20 Victoria ESP - FW: VCS ESP EP Documents
4-10	ML11312A307	10/21/2011	2011/10/21 Victoria ESP - Electronic Reading Room Access
4-11	ML11312A334	10/25/2011	2011/10/25 Victoria ESP - FW: Transmittal of Environmental Report Computer Program Files
4-12	ML11312A333	10/26/2011	2011/10/26 Victoria ESP - FW: DRAFT VCS ER Audit Agenda - For Discussion Purposes
4-13	ML11312A331	10/31/2011	2011/10/31 Victoria ESP - Alternative Sites Audit Logistics
4-14	ML11312A332	10/31/2011	2011/10/31 Victoria ESP - RE: DRAFT VCS ER Audit Agenda - For Discussion Purposes
4-15	ML11312A328	11/01/2011	2011/11/01 Victoria ESP - FW: Alternative Sites Audit Logistics
4-16	ML11312A330	11/01/2011	2011/11/01 Victoria ESP - RE: Alternative Sites Audit Logistics
4-17	ML11313A098	11/09/2011	2011/11/09 Victoria ESP - Tour for NRC subject matter experts during upcoming site audit (public)
4-18	ML112870309	08/24/2011	Letter from Javier Loera Regarding Victoria ESP Scoping Summary Report.

	Accession Number	Document Date	Title\Description
4-19	ML112850842	10/13/2011	Request For Additional Information No. 13 (SRP Section 02.04.13-Accidental Releases of Radioactive Liquid Effluents In Ground & Surface Waters) Related To the Victoria County Station ESP Application.
4-20	ML113070432	11/02/2011	Victoria County Station Early Site Permit Application - Response to Request for Additional Information Letter No. 13.
4-21	ML11307A304	10/24/2011	Victoria County Station Early Site Permit Application, Transmittal of Environmental Report Computer Program Files.

November 15, 2011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
)
EXELON TEXAS NUCLEAR HOLDINGS, LLC) Docket No. 52-042
)
(Victoria County Station Site))

AFFIDAVIT OF TEKIA GOVAN CONCERNING
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. §§ 2.336(b) and 2.1203

I, Tekia Govan, do hereby state as follows:

1. I am employed as a Project Manager in the NGE Projects Branch 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 submitted by Exelon Texas Nuclear Holdings, LLC, at issue in this proceeding.
2. Pursuant to the regulations, 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 November 1, 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)

Tekia Govan
Project Manager, NGE Projects Branch
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
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Executed in Rockville, MD
this the 15th day of November, 2011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
	)	
EXELON TEXAS NUCLEAR HOLDINGS, LLC	)	Docket No. 52-042
	)	
(Victoria County Station Site)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated November 15, 2011, providing notice of the availability of the hearing file and mandatory disclosures made pursuant to 10 C.F.R. § 2.336(d), with attachments, together with the affidavit of Tekia Govan, have been served upon the following persons by Electronic Information Exchange this 15th day of November, 2011:

Administrative Judge, Chairman Michael M. Gibson Atomic Safety and Licensing Board Panel Mail Stop – T-3 F23 U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 E-mail: Michael.Gibson@nrc.gov	Office of Commission Appellate Adjudication Mail Stop O-16C1 U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 E-mail: OCAEmail@nrc.gov
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Administrative Judge Dr. Anthony J. Baratta Atomic Safety and Licensing Board Panel Mail Stop – T-3 F23 U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 E-mail: Anthony.Baratta@nrc.gov	Office of the Secretary ATTN: Docketing and Service Mail Stop: O-16C1 U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 E-mail: HEARINGDOCKET@nrc.gov
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Administrative Judge Dr. Mark O. Barnett Atomic Safety and Licensing Board Panel Mail Stop – T-3 F23 U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 E-mail: Mark.Barnett@nrc.gov	Counsel for Texans for a Sound Energy Policy (TSEP) Blackburn Carter 4709 Austin Street Houston, Texas 77004 James B. Blackburn, Jr., Esq. Charles Irvine, Esq. E-mail: jbblaw@blackburncarter.com E-mail: charles@blackburncarter.com
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/Signed (electronically) by/

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Dated at Rockville, Maryland
this 15th day of November, 2011