

# BLACKBURN CARTER

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November 17, 2011

*Via NRC's Electronic Information Exchange*

Sarah W. Price, Esq.  
Laura Goldin, Esq.  
Kevin C. Roach, Esq.  
U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop O-15-D21  
Washington, DC 20555-0001

Steven P. Frantz  
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Mary Freeze  
Joseph B. Fray  
Morgan Lewis & Bockius, LLP  
1111 Pennsylvania Ave., NW  
Washington, DC 20004

RE: Docket No. 52-042; NRC-2010-0165; *Exelon Nuclear Texas Holdings, LLC, Early Site Permit Application for the Victoria County Station Site*

Dear Counsel:

As per our communications, we were unable to file via the NRC's Electronic Information Exchange system due to technical difficulties with our digital ID certificate and subsequent plug-in difficulties. Having corrected these problems, attached are Texans for a Sound Energy Policy's (TSEP) Supplemental Disclosures pursuant to 10 C.F.R. § 2.336. The attached filing and corresponding DVD were forwarded to the parties via U.S. First Class Mail November 15, 2011.

Any questions regarding this submission may also be directed to Charles W. Irvine, Blackburn Carter, P.C., 4709 Austin, St., Houston, Texas 77004, (713) 524-1012.

Sincerely,  
BLACKBURN CARTER, P.C.

by           s/James B. Blackburn, Jr.            
James B. Blackburn, Jr.

Attachments:

1. Cover letter
2. TSEP'S SUPPLEMENTAL DISCLOSURES
3. AFFIDAVIT OF CHARLES W. IRVINE

c: Per Certificate of Service attached to filing.

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Sender's E-Mail: jbb@blackburncarter.com

November 15, 2011

*Via U.S. First Class Certified Mail/Return Receipt Requested*

Sarah W. Price, Esq.  
Laura Goldin, Esq.  
Kevin C. Roach, Esq.  
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Office of the General Counsel  
Mail Stop O-15-D21  
Washington, DC 20555-0001

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Washington, DC 20004

RE: Docket No. 52-042; NRC-2010-0165; *Exelon Nuclear Texas Holdings, LLC,  
Early Site Permit Application for the Victoria County Station Site*

Dear Counsel:

Pursuant to 10 C.F.R. § 2.336, attached is Texans for a Sound Energy Policy's (TSEP) Supplemental Disclosures. The responsive documents are contained on a DVD being produced to the parties.

Any questions regarding this submission may also be directed to Charles W. Irvine, Blackburn Carter, P.C., 4709 Austin, St., Houston, Texas 77004, (713) 524-1012.

Sincerely,  
BLACKBURN CARTER, P.C.

by s/James B. Blackburn, Jr.  
James B. Blackburn, Jr.

Attachments:

1. TSEP'S SUPPLEMENTAL DISCLOSURES
2. AFFIDAVIT OF CHARLES W. IRVINE

c: Per Certificate of Service attached to filing.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

ASLBP No. 11-908-01-ESP-BD01

|                         |   |                   |
|-------------------------|---|-------------------|
| <hr/>                   | § |                   |
| In the Matter of        | § |                   |
|                         | § |                   |
| EXELON NUCLEAR TEXAS    | § |                   |
| HOLDINGS, LLC           | § | Docket No. 52-042 |
|                         | § |                   |
| EARLY SITE PERMIT FOR   | § |                   |
| VICTORIA COUNTY STATION | § |                   |
| <hr/>                   |   |                   |

**TEXANS FOR A SOUND ENERGY POLICY’S SUPPLEMENTAL DISCLOSURES**

Pursuant to 10 C.F.R. § 2.336, *et seq.*, Texans for a Sound Energy Policy (“TSEP”) hereby submits the following disclosures:

(1) The name and, if known, the address and telephone number of any person, including any expert, upon whose opinion the party bases its claims and contentions and may rely upon as a witness, and a copy of the analysis or other authority upon which the person bases his or her opinion.

RESPONSE:

Pursuant to the Parties’ Agreement dated July 6, 2011 and the subsequent Initial Scheduling Order issued on August 10, 2011, TSEP will identify any person on which it may rely upon as a witness as soon as the identity of that person becomes known. As of the date of these Disclosures, TSEP has not identified a person on which it may rely upon as a witness.

(2)(i) A copy, or a description by category and location, of all documents and data compilations in the possession, custody, or control of the party that are relevant to the contentions, provided that if only a description is provided of a document or data compilation, a party shall have the right to request copies of that document and/or data compilation, and

(2)(ii) A copy (for which there is no claim of privilege or protected status), or a description by category and location, of all tangible things (e.g., books, publications and treatises) in the possession, custody or control of the party that are relevant to the contention.

(2)(iii) When any document, data compilation, or other tangible thing that must be disclosed is publicly available from another source, such as at the NRC Web site, <http://www.nrc.gov>, and/or the NRC Public Document Room, a sufficient disclosure would be the location, the title and a page reference to the relevant document, data compilation, or tangible thing.

RESPONSE:

TSEP will produce all documents in its possession, custody or control that are relevant to the contentions currently before the NRC.

(3) A list of documents otherwise required to be disclosed for which a claim or privilege or protected status is being made, together with sufficient information for assessing the claim of privilege or protected status of the documents.

RESPONSE:

Pursuant to the scheduling order all discoverable documents have been produced.

Dated: November 15, 2011.

Respectfully submitted,

BLACKBURN CARTER, P.C.

by:           s/ James B. Blackburn, Jr.

JAMES B. BLACKBURN, JR.

Attorney in charge

TBN 02388500

CHARLES IRVINE

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713/524-5165 (fax)

***Counsel for Texans for a Sound Energy Policy***

**CERTIFICATE OF SERVICE**

I hereby certify that on this 15<sup>th</sup> day of November, 2011, copies of the foregoing TEXANS FOR A SOUND ENERGY POLICY'S SUPPLEMENTAL DISCLOSURES has been served upon the following persons by U.S. First Class Certified Mail/Return Receipt Requested.

*s/ James B. Blackburn, Jr.*

James B. Blackburn, Jr.

U.S. Nuclear Regulatory Commission  
Office of the Secretary of the Commission  
Mail Stop O-16C1  
Washington, DC 20555-0001  
Hearing Docket  
Email: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop O-15-D21  
Washington, DC 20555-0001  
Sarah W. Price, Esq.  
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Joseph Gilman, Paralegal  
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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD  
ASLBP No. 11-908-01-ESP-BD01

\_\_\_\_\_  
In the Matter of §  
§  
EXELON NUCLEAR TEXAS §  
HOLDINGS, LLC § Docket No. 52-042  
§  
EARLY SITE PERMIT FOR §  
VICTORIA COUNTY STATION §

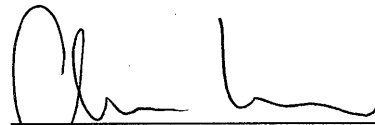
**AFFIDAVIT OF CHARLES W. IRVINE**

STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

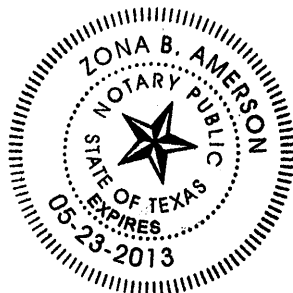
BEFORE ME, the undersigned Notary Public, on this day personally appeared Charles W. Irvine, who having been by me first duly sworn according to law, upon his oath deposed and said as follows:

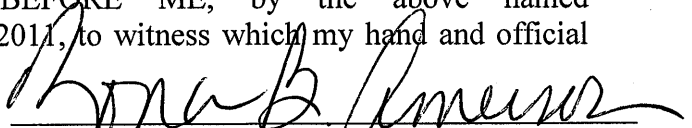
1. My name is Charles W. Irvine and I am over eighteen years of age. I am of sound mind, have never been convicted of a felony and am fully capable of making this Affidavit in all respects. I am personally familiar with and have personal knowledge of the facts contained herein and they are all true and correct.
2. This affidavit is submitted in support of TEXANS FOR A SOUND ENERGY POLICY'S SUPPLEMENTAL DISCLOSURES. I hereby certify that all relevant materials required by 10 CFR § 2.336 have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Charles W. Irvine, Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, by the above named Charles W. Irvine, on this 15<sup>th</sup> day of November, 2011, to witness which my hand and official seal of office.



  
\_\_\_\_\_  
Notary Public in and for the  
State of TEXAS