

February 1, 2012

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). 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/**  
Marcia Carpentier  
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 27 – February 1, 2012**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title</b>
27-1	ML12004A185	12/29/2011	2011/12/29 - Comment (12) Comment e-mail regarding Fermi 3-Draft EIS
27-2	ML12009A060	12/29/2011	Comment (3) of Jessi Pauline Collins Opposing the Construction of another Fermi Reactor.
27-3	ML12004A184	01/01/2012	2012/01/01 - Comment (11) Comment e-mail regarding Fermi 3-Draft EIS
27-4	ML12023A035	01/01/2012	Comment (14) of Cadey Sontag Opposing the Issuance of the Draft Environmental Statement for the Combined License for Enrico Fermi Unit 3, Monroe County, MI.
27-5	ML12004A187	01/03/2012	2012/01/03 - Comment (13) Comment e-mail regarding Fermi 3-Draft EIS
27-6	ML12010A191	01/04/2012	2012/01/04 - Comment (15) Comment e-mail regarding Fermi 3-Draft EIS
27-7	ML12010A192	01/04/2012	2012/01/04 - Comment (16) Comment e-mail regarding Fermi 3-Draft EIS
27-8	ML12010A193	01/05/2012	2012/01/05 - Comment (17) Comment e-mail regarding Fermi 3-Draft EIS
27-9	ML12010A194	01/05/2012	2012/01/05 - Comment (18) Comment e-mail regarding Fermi 3-Draft EIS
27-10	ML12023A033	01/05/2012	Comment (12) of Tom Stephens Opposing Draft NUREG-2105, Draft Environmental Impact Statement for Combined Licenses for Enrico and Fermi Unit 3.
27-11	ML12006A121	01/06/2012	Minutes of the ACRS ESBWR Subcommittee Meeting, November 30, 2011.
27-12	ML12010A195	01/08/2012	2012/01/08 - Comment (19) Comment e-mail regarding Fermi 3-Draft EIS
27-13	ML12026A464	01/09/2012	Comment on the Fermi 3 DEIS from the Dept of the Interior.
27-14	ML12010A190	01/10/2012	2012/01/10 - Comment (14) Comment e-mail regarding Fermi 3-Draft EIS
27-15	ML12010A196	01/10/2012	2012/01/10 - Comment (20) Comment e-mail regarding Fermi 3-Draft EIS
27-16	ML12010A197	01/10/2012	2012/01/10 - Comment (21) Comment e-mail regarding Fermi 3-Draft EIS
27-17	ML12011A055	01/10/2012	2012/01/10 - Comment (22) Comment e-mail regarding Fermi 3-Draft EIS
27-18	ML12011A056	01/10/2012	2012/01/10 - Comment (23) Comment e-mail regarding Fermi 3-Draft EIS
27-19	ML12011A057	01/10/2012	2012/01/10 - Comment (24) Comment e-mail regarding Fermi 3-Draft EIS

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title</b>
27-20	ML12011A058	01/10/2012	2012/01/10 - Comment (25) Comment e-mail regarding Fermi 3-Draft EIS
27-21	ML12011A059	01/10/2012	2012/01/10 - Comment (26) Comment e-mail regarding Fermi 3-Draft EIS
27-22	ML12011A061	01/10/2012	2012/01/10 - Comment (27) Comment e-mail regarding Fermi 3-Draft EIS
27-23	ML12011A062	01/10/2012	2012/01/10 - Comment (28) Comment e-mail regarding Fermi 3-Draft EIS
27-24	ML12018A211	01/10/2012	2012/01/10 - Comment (60) Comment e-mail regarding Fermi 3-Draft EIS
27-25	ML12023A034	01/10/2012	Comment (13) of Kenneth A. Westlake on Behalf of the U.S. Environmental Protection Agency on Draft Environmental Impact Statement for the Combined License (COL) for Enrico Fermi Unit 3, Monroe County, Michigan.
27-26	ML12012A064	01/10/2012	Comment (4) of Jim Welke Opposing Draft Environmental Impact Statement for Combined License (COL) for Enrico Fermi, Unit 3.
27-27	ML12012A111	01/10/2012	Comment (5) of Anabel Dwyer Opposing Draft Environmental Impact Statement for Combined License (COL) for Enrico Fermi, Unit 3.
27-28	ML12012A112	01/10/2012	Comment (6) of Christy Anderson on behalf of himself on Notice of Availability of Draft Environment Impact Statement for a Combined License for Unit 3 of the Enrico Fermi Atomic Power Plant Site.
27-29	ML12018A231	01/10/2012	Comment (7) of Peter W. Smith on behalf of Detroit Edison Co., on Draft Environmental Impact Statement for Combined License (COL) for Enrico Fermi Unit 3.
27-30	ML12018A232	01/10/2012	Comment (8) of Jessie Pauline Collins, et al., re: Addendum to Comments Regarding NUREG 2105.
27-31	ML12011A063	01/11/2012	2012/01/11 - Comment (29) Comment e-mail regarding Fermi 3-Draft EIS
27-32	ML12018A038	01/11/2012	2012/01/11 - Comment (30) Comment e-mail regarding Fermi 3-Draft EIS
27-33	ML12018A129	01/11/2012	2012/01/11 - Comment (32) Comment e-mail regarding Fermi 3-Draft EIS
27-34	ML12018A130	01/11/2012	2012/01/11 - Comment (33) Comment e-mail regarding Fermi 3-Draft EIS
27-35	ML12018A131	01/11/2012	2012/01/11 - Comment (34) Comment e-mail regarding Fermi 3-Draft EIS
27-36	ML12018A132	01/11/2012	2012/01/11 - Comment (35) Comment e-mail regarding Fermi 3-Draft EIS
27-37	ML12018A133	01/11/2012	2012/01/11 - Comment (36) Comment e-mail regarding Fermi 3-Draft EIS
27-38	ML12018A134	01/11/2012	2012/01/11 - Comment (37) Comment e-mail regarding Fermi 3-Draft EIS

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27-39	ML12018A135	01/11/2012	2012/01/11 - Comment (38) Comment e-mail regarding Fermi 3-Draft EIS
27-40	ML12018A136	01/11/2012	2012/01/11 - Comment (39) Comment e-mail regarding Fermi 3-Draft EIS
27-41	ML12018A137	01/11/2012	2012/01/11 - Comment (40) Comment e-mail regarding Fermi 3-Draft EIS
27-42	ML12018A138	01/11/2012	2012/01/11 - Comment (41) Comment e-mail regarding Fermi 3-Draft EIS
27-43	ML12018A148	01/11/2012	2012/01/11 - Comment (42) Comment e-mail regarding Fermi 3-Draft EIS
27-44	ML12018A150	01/11/2012	2012/01/11 - Comment (43) Comment e-mail regarding Fermi 3-Draft EIS
27-45	ML12018A151	01/11/2012	2012/01/11 - Comment (44) Comment e-mail regarding Fermi 3-Draft EIS
27-46	ML12018A152	01/11/2012	2012/01/11 - Comment (45) Comment e-mail regarding Fermi 3-Draft EIS
27-47	ML12018A153	01/11/2012	2012/01/11 - Comment (46) Comment e-mail regarding Fermi 3-Draft EIS
27-48	ML12018A154	01/11/2012	2012/01/11 - Comment (47) Comment e-mail regarding Fermi 3-Draft EIS
27-49	ML12018A155	01/11/2012	2012/01/11 - Comment (48) Comment e-mail regarding Fermi 3-Draft EIS
27-50	ML12018A156	01/11/2012	2012/01/11 - Comment (49) Comment e-mail regarding Fermi 3-Draft EIS
27-51	ML12018A157	01/11/2012	2012/01/11 - Comment (50) Comment e-mail regarding Fermi 3-Draft EIS
27-52	ML12018A159	01/11/2012	2012/01/11 - Comment (51) Comment e-mail regarding Fermi 3-Draft EIS
27-53	ML12018A160	01/11/2012	2012/01/11 - Comment (52) Comment e-mail regarding Fermi 3-Draft EIS
27-54	ML12018A204	01/11/2012	2012/01/11 - Comment (53) Comment e-mail regarding Fermi 3-Draft EIS
27-55	ML12018A205	01/11/2012	2012/01/11 - Comment (54) Comment e-mail regarding Fermi 3-Draft EIS
27-56	ML12019A113	01/11/2012	Comment (10) of Derek Coronado on Behalf of Himself, Requesting Extension of the Public Comment Period for Draft Environmental Impact Statement for Combined License (COL) for Enrico Fermi Unit 3 NUREG-2105.
27-57	ML12018A233	01/11/2012	Comment (9) of Allen Gleckner, David Gard and Allie Muchmore on Behalf of the Environmental Law & Policy Center and the Michigan Environmental Council of Michigan on Draft Environmental Impact Statement for Combined Licenses for Enrico and Fermi Unit 3.
27-58	ML12018A206	01/12/2012	2012/01/12 - Comment (55) Comment e-mail regarding Fermi 3-Draft EIS
27-59	ML12018A207	01/12/2012	2012/01/12 - Comment (56) Comment e-mail regarding Fermi 3-Draft EIS
27-60	ML12018A208	01/12/2012	2012/01/12 - Comment (57) Comment e-mail regarding Fermi 3-Draft EIS

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title</b>
27-61	ML12018A209	01/12/2012	2012/01/12 - Comment (58) Comment e-mail regarding Fermi 3-Draft EIS
27-62	ML12018A210	01/12/2012	2012/01/12 - Comment (59) Comment e-mail regarding Fermi 3-Draft EIS
27-63	ML12009A120	01/13/2012	Afternoon Session Transcript - Draft EIS RE Fermi 3 Project Public Meeting.
27-64	ML120100389	01/13/2012	Attendee List - Public Meetings to Discuss the Draft Environmental Impact Statement for the Enrico Fermi Unit 3.
27-65	ML12013A161	01/13/2012	Comments from the Public Meetings for the DEIS for the Fermi 3 COLA.
27-66	ML12009A121	01/13/2012	Evening Session Transcript - Draft EIS RE Fermi 3 Project Public Meeting.
27-67	ML12018A047	01/13/2012	Meeting Agenda from the Fermi Unit 3 Public Meeting.
27-68	ML12009A123	01/13/2012	Meeting Slides - Draft Environmental Impact Statement for the Fermi Unit 3 Combined License Application Public Meeting.
27-69	ML12005A174	01/13/2012	Summary of Meetings for the Draft Environmental Impact Statement for the Fermi Unit 3 Combined License Application.
27-70	ML120050236	01/17/2012	Environmental Project Management Change for the Combined License Environmental Review for Fermi Nuclear Power Plant, Unit 3.
27-71	ML120180182	01/18/2012	Request For Additional Information Letter No. 70 Related To Chapters 2.0 and 3.0 For The Fermi 3 COL Application.
27-72	ML120260354	01/26/2012	Request For Additional Information Letter No. 71 Related To Chapter 2.0 For The Fermi 3 COL Application.

February 1, 2012

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 Licensing Branch 3 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 January 27, 2012.

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, Licensing Branch 3  
Division of New Reactor Licensing  
U.S. Nuclear Regulatory Commission  
Mail Stop T-6 D38M  
Washington, DC 20555-0001  
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Executed in Rockville, MD  
this 1st day of February, 2012

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 February 1, 2012, 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, have been served upon the following persons by Electronic Information Exchange and electronic mail this 1st day of February, 2012:

Ronald M. Spritzer, Chair  
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**/Signed (electronically) by/**  
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Dated at Rockville, Maryland  
this 1st day of February, 2012