

March 14, 2012

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](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 "Victoria Stn Hearing File." Also attached, as required by 10 C.F.R. § 2.336(c), is the Affidavit of Michael Eudy.

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/**

Laura R. Goldin  
Counsel for NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, D.C. 20555-0001  
(301) 415-3082  
(301) 415-3725 fax  
Laura.Goldin@nrc.gov

Enclosures: Attachment 1: Hearing File Index  
Attachment 2: Affidavit of Michael Eudy

**Attachment 1****Victoria County Station ESP Hearing File and Mandatory Disclosures  
Hearing File Index  
Update 8 – March 14, 2012**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title\Decription</b>
8-1	ML12067A279	02/02/2012	2012/02/02 Victoria ESP - Victoria ESP RAI Letter #15
8-2	ML120330268	02/02/2012	Request For Additional Information Letter No. 15 Related To Victoria County Station Early Site Permit.
8-3	ML12067A277	02/06/2012	2012/02/06 Victoria ESP - FW: Exelon Letter to NRC, NP-12-001, Response to NRC RAI Letter No. 14
8-4	ML12037A135	02/06/2012	Victoria County Station Early Site Permit Application - Response to Request for Additional Information Letter No. 14.
8-5	ML12067A273	02/08/2012	2012/02/08 Victoria ESP - Draft Victoria ESP RAIs for Section 11.2 and 11.3
8-6	ML12067A275	02/08/2012	2012/02/08 Victoria ESP - Draft Victoria ESP RAIs for Section 2.3.1
8-7	ML12067A276	02/08/2012	2012/02/08 Victoria ESP - FW: VCS ESPA, Rev. 1 Submittal
8-8	ML12067A270	02/09/2012	2012/02/09 Victoria ESP - FW: Draft Victoria ESP RAIs for Section 11.2 and 11.3
8-9	ML12067A269	02/09/2012	2012/02/09 Victoria ESP - FW: Draft Victoria ESP RAIs for Section 2.3.1
8-10	ML120330039	02/09/2012	Environmental Project Manager Change for the Early Site Permit Application Review for Victoria County Station.
8-11	ML12072A280	02/14/2012	2012/02/14 Victoria ESP - FW: VCS ER items for inspection
8-12	ML12072A275	02/21/2012	2012/02/21 Victoria ESP - FW: Courtesy Copy of Submittal Letters
8-13	ML12072A278	02/21/2012	2012/02/21 Victoria ESP - RE: Courtesy Copy of Submittal Letters
8-14	ML12067A268	02/22/2012	2012/02/22 Victoria ESP - FW: Status of Draft RAI 11.2, 11.3, and 2.3.1 Clarification Call
8-15	ML12072A270	02/23/2012	2012/02/23 Victoria ESP - RE: Possible cultural resources call next week
8-16	ML12072A268	02/24/2012	2012/02/24 Victoria ESP - RE: Socio files for NRC inspection

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title\Decription</b>
8-17	ML12067A266	02/27/2012	2012/02/27 Victoria ESP - RE: Draft RAI No. 6231 Clarification Call Followup
8-18	ML120550082	02/27/2012	Request For Additional Information Letter No. 16 (SRP Sections: 02.03.01 - Regional Climatology, 11.02 - Liquid Waste Management System, And 11.03 - Gaseous Waste Management System) Related To The Victoria County Station Early Site Permit Application.
8-19	ML12067A265	02/29/2012	2012/02/29 Victoria ESP - Victoria ESP RAI Letter #16
8-20	ML12062A250	03/02/2012	Victoria County Station Early Site Permit Application, Response to Request for Additional Information Letter No. 15.
8-21	ML12072A266	03/09/2012	2012/03/09 Victoria ESP - FW: Courtesy Copy of Exelon Letter NP-12-0010
8-22	ML12072A284	03/12/2012	2012/03/12 Victoria ESP - FW: Additional Information that may be helpful in preparing EIS
8-23	ML12072A286	03/12/2012	2012/03/12 Victoria ESP - FW: Post-Site-Audit Submittals from Exelon<Predec>

March 14, 2012

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 MICHAEL EUDY CONCERNING  
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. §§ 2.336(b) and 2.1203

I, Michael Eudy, do hereby state as follows:

1. I am employed as a Project Manager in the Licensing Branch 3 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 application 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 March 1, 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)**

Michael Eudy  
Project Manager, Licensing Branch 3  
Division of New Reactor Licensing  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D38M  
Washington, DC 20555-0001  
(301) 415-3104  
Michael.Eudy@nrc.gov

Executed in Rockville, MD  
this the 14th day of March, 2012

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 March 14, 2012, 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 Michael Eudy, have been served upon the following persons by Electronic Information Exchange this 14th day of March, 2012:

Administrative Judge, Chairman	Office of Commission Appellate
Michael M. Gibson	Adjudication
Atomic Safety and Licensing Board Panel	Mail Stop O-16C1
Mail Stop – T-3 F23	U.S. Nuclear Regulatory Commission
U.S. Nuclear Regulatory Commission	Washington, D.C. 20555-0001
Washington, D.C. 20555-0001	E-mail: OCAEmail@nrc.gov
E-mail: Michael.Gibson@nrc.gov	

Administrative Judge	Office of the Secretary
Dr. Anthony J. Baratta	ATTN: Docketing and Service
Atomic Safety and Licensing Board Panel	Mail Stop: O-16C1
Mail Stop – T-3 F23	U.S. Nuclear Regulatory Commission
U.S. Nuclear Regulatory Commission	Washington, D.C. 20555-0001
Washington, D.C. 20555-0001	E-mail: HEARINGDOCKET@nrc.gov
E-mail: Anthony.Baratta@nrc.gov	

Administrative Judge	Counsel for Texans for a Sound Energy
Dr. Mark O. Barnett	Policy (TSEP)
Atomic Safety and Licensing Board Panel	Blackburn Carter
Mail Stop – T-3 F23	4709 Austin Street
U.S. Nuclear Regulatory Commission	Houston, Texas 77004
Washington, D.C. 20555-0001	James B. Blackburn, Jr., Esq.
E-mail: Mark.Barnett@nrc.gov	Charles Irvine, Esq.
	E-mail: jbblaw@blackburncarter.com
	E-mail: charles@blackburncarter.com

Exelon Generation Co., LLC  
4300 Winfield Road  
Warrenville, IL 60555  
J. Bradley Fewell, Esq.  
E-mail: [bradley.fewell@exeloncorp.com](mailto:bradley.fewell@exeloncorp.com)

Counsel for the Applicant  
Morgan, Lewis & Bockius, LLP  
1111 Pennsylvania Ave., NW  
Washington, DC 20004  
Steven P. Frantz, Esq.  
Stephen Burdick, Esq.  
Jonathan M. Rund, Esq.  
Joseph Fray, Esq.  
Mary Freeze  
E-mail: [sfrantz@morganlewis.com](mailto:sfrantz@morganlewis.com)  
[sburdick@morganlewis.com](mailto:sburdick@morganlewis.com)  
[jrund@morganlewis.com](mailto:jrund@morganlewis.com);  
[jfray@morganlewis.com](mailto:jfray@morganlewis.com);  
[mfreeze@morganlewis.com](mailto:mfreeze@morganlewis.com)

**/Signed (electronically) by/**

Laura R. Goldin  
Counsel for NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, D.C. 20555-0001  
(301) 415-3082  
(301) 415-3725 fax  
[Laura.Goldin@nrc.gov](mailto:Laura.Goldin@nrc.gov)

Dated at Rockville, Maryland  
this 14th day of March, 2012