

June 1, 2012

Ronald M. Spritzer, Chair  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Anthony J. Baratta  
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 Adrian Muñiz.

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), the Staff herein produces a log of the documents withheld as containing proprietary information. 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/**  
Andrea L. Silvia  
Counsel for the NRC Staff

Enclosures: Attachment 1: Hearing File Index  
Attachment 2: Privilege Log  
Affidavit of Adrian Muñiz

**Attachment 1**

**Fermi COL Hearing File and Mandatory Disclosures  
Hearing File Index  
Update 31 – June 1, 2012**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title</b>
31-1	ML12129A558	08/30/2011	2011/08/30 Fermi COL - List of Fermi 1 Potentially Interested Parties
31-2	ML12129A540	08/31/2011	2011/08/31 Fermi COL - RE: Letters from me you should have recently received - RE: ER06-683
31-3	ML12145A087	09/28/2011	2011/09/28 Fermi COL - Re: Copies of the NRC"s Draft EIS for Fermi 3
31-4	ML12129A557	09/29/2011	2011/09/29 Fermi COL - FW: ER06-683 - Draft Fermi 1 MOA
31-5	ML12129A331	10/03/2011	2011/10/03 Fermi COL - RE: Contact Information
31-6	ML12129A556	10/03/2011	2011/10/03 Fermi COL - RE: Contact Information
31-7	ML12129A555	10/06/2011	2011/10/06 Fermi COL - Notification of Adverse Effects and associated MOA for Demolition of Fermi 1 Historic Property
31-8	ML12129A330	10/17/2011	2011/10/17 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
31-9	ML12129A541	11/15/2011	2011/11/15 Fermi COL - Our plan to meet at noon on Dec. 14, 2011
31-10	ML12129A542	11/15/2011	2011/11/15 Fermi COL - Tour of Fermi 1 Atomic Power Plant at 1:00 pm on Friday, December 2, 2011
31-11	ML12129A343	11/17/2011	2011/11/17 Fermi COL - NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERM1 1
31-12	ML12129A350	11/17/2011	2011/11/17 Fermi COL - NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERM1 1
31-13	ML12129A345	11/17/2011	2011/11/17 Fermi COL - NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERM1 1
31-14	ML12129A341	11/17/2011	2011/11/17 Fermi COL - NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERM1 1

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title</b>
31-15	ML12129A348	11/17/2011	2011/11/17 Fermi COL - NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-16	ML12129A339	11/17/2011	2011/11/17 Fermi COL - NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-17	ML12129A340	11/17/2011	2011/11/17 Fermi COL - NOTIFICATION OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-18	ML12129A344	11/17/2011	2011/11/17 Fermi COL - RE: NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-19	ML12129A353	11/17/2011	2011/11/17 Fermi COL - Re: NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-20	ML12129A355	11/17/2011	2011/11/17 Fermi COL - Re: NOTIFICATION OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-21	ML12129A358	11/18/2011	2011/11/18 Fermi COL - National Register of Historical Places
31-22	ML12129A359	11/18/2011	2011/11/18 Fermi COL - Re: NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-23	ML12129A356	11/18/2011	2011/11/18 Fermi COL - RE: NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-24	ML12129A559	11/21/2011	2011/11/21 Fermi COL - RE: National Register of Historical Places
31-25	ML12129A565	11/21/2011	2011/11/21 Fermi COL - RE: National Register of Historical Places
31-26	ML12129A361	11/21/2011	2011/11/21 Fermi COL - Request for comments regarding Fermi 1 site
31-27	ML12129A539	11/22/2011	2011/11/22 Fermi COL - RE: Request for comments regarding Fermi 1 site
31-28	ML12129A560	11/28/2011	2011/11/28 Fermi COL - RE: Tour of Fermi 1 Atomic Power Plant at 1:00 pm on Friday, December 2, 2011

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title</b>
31-29	ML12129A360	12/01/2011	2011/12/01 Fermi COL - Re: NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-30	ML12129A553	12/10/2011	2011/12/10 Fermi COL - Re: Missing Table 8-8 in Draft Environmental Impact Statement (DEIS) for Combined License for Enrico Fermi Unit 3
31-31	ML12129A568	12/19/2011	2011/12/19 Fermi COL - RE: GLRI funded projects - Fermi 3
31-32	ML12129A561	12/19/2011	2011/12/19 Fermi COL - RE: NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-33	ML12129A564	12/19/2011	2011/12/19 Fermi COL - RE: NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-34	ML12129A563	12/19/2011	2011/12/19 Fermi COL - RE: NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-35	ML12143A465	12/19/2011	2011/12/19 Fermi COL - RE: NOTIF. OF, AND REQ. FOR CMNTS. ON, PROPOSED OPTIONS TO MITIGATE THE ADVERSE EFFECTS OF THE POTENTIAL DEMOLITION OF FERMI 1
31-36	ML12129A327	12/20/2011	2011/12/20 Fermi COL - RE: GLRI funded projects - Fermi 3
31-37	ML12129A566	12/21/2011	2011/12/21 Fermi COL - RE: ER06-683 - FINAL Fermi 1 MOA
31-38	ML12129A548	01/05/2012	2012/01/05 Fermi COL - RE: Fermi MOA
31-39	ML12129A569	01/05/2012	2012/01/05 Fermi COL - Recordation/Documentation Package for the Enrico Fermi Atomic Power Plant, Unit 1
31-40	ML12129A545	01/17/2012	2012/01/17 Fermi COL - RE: Fermi MOA - per our 3:15 pm phoncon today
31-41	ML12129A546	01/17/2012	2012/01/17 Fermi COL - RE: Fermi MOA
31-42	ML12129A544	01/18/2012	2012/01/18 Fermi COL - FW: Fermi 1 MOA
31-43	ML12129A325	01/26/2012	2012/01/26 Fermi COL - Re: Fermi 1 MOA
31-44	ML12129A324	01/27/2012	2012/01/27 Fermi COL - Re: Fermi 1 MOA

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title</b>
31-45	ML12129A543	02/02/2012	2012/02/02 Fermi COL - RE: Fermi 1 MOA
31-46	ML12129A550	03/05/2012	2012/03/05 Fermi COL - RE: Minor Edits to p. 2 of Fermi 1 MOA
31-47	ML12129A572	03/08/2012	2012/03/08 Fermi COL - FW: Minor Edits to p. 2 of Fermi 1 MOA
31-48	ML12129A337	03/08/2012	2012/03/08 Fermi COL - RAI 6356--Air Emission Inventory Data
31-49	ML12143A112	03/08/2012	2012/03/08 Fermi COL - RE: Minor Edits to p. 2 of Fermi 1 MOA
31-50	ML12129A549	03/08/2012	2012/03/08 Fermi COL - RE: Minor Edits to p. 2 of Fermi 1 MOA
31-51	ML12129A567	03/08/2012	2012/03/08 Fermi COL - RE: Minor Edits to p. 2 of Fermi 1 MOA
31-52	ML12129A336	03/21/2012	2012/03/21 Fermi COL - Draft RAI 6385 - Fermi 3 COLA--Environmental Review
31-53	ML12129A334	03/21/2012	2012/03/21 Fermi COL - Monroe County, MI-- Land Map & Mineral Ownership
31-54	ML12145A088	03/26/2012	2012/03/26 Fermi COL - FW: Detroit Energy Fermi 3 Cola
31-55	ML12145A698	03/30/2012	2012/03/30 Fermi COL - RE: Chapter Day - Fermi 3 Ch 2 SE
31-56	ML12129A571	04/04/2012	2012/04/04 Fermi COL - Fermi 3 MDEQ Permit
31-57	ML12129A570	04/04/2012	2012/04/04 Fermi COL - Re: Fermi 3 MDEQ Permit
31-58	ML121220411	04/05/2012	Detroit Edison Request for SHPO Review of the Fermi 1 Recordation Package.
31-59	ML12145A086	04/17/2012	2012/04/17 Fermi COL - Quad Cities Steam Dryer LER
31-60	ML12129A332	04/18/2012	2012/04/18 Fermi COL - FW: RAI 6385
31-61	ML121080186	04/18/2012	5/03/2012 - Notice of Forthcoming Meeting to Discuss Open Items and Outstanding Requests for Additional Information Responses Relating to the Detroit Edison Combined License Application For Fermi, Unit 3.
31-62	ML121090573	04/19/2012	04/12/2012, Summary of April 12, 2012, Public Conference Call with Detroit Edison Regarding COL Open Items.
31-63	ML121080456	04/25/2012	Request For Additional Information Concerning Implementation of Fukushima Near-Term Task Force Recommendations.
31-64	ML121090151	04/26/2012	Letter - Fermi Unit 3 Combined License Application - Advanced Final Safety Evaluation For Chapter 10, "Steam And Power Conversion System."

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title</b>
31-65	ML121090162	04/26/2012	Memo - Fermi 3, Combined License Application - Advanced Final Safety Evaluation For Chapter 10, "Steam And Power Conversion System."
31-66	ML12145A697	04/30/2012	2012/04/30 Fermi COL - FW: Attendance List - NRC Exit Meeting
31-67	ML12145A094	04/30/2012	2012/04/30 Fermi COL - RE: Attendance List - NRC Exit Meeting
31-68	ML121220287	04/30/2012	Detroit Edison Company Response to NRC Request for Additional Information Letter No. 70.
31-69	ML12145A100	05/01/2012	2012/05/01 Fermi COL - Fermi-3 Audit Handout Materials
31-70	ML12129A552	05/01/2012	2012/05/01 Fermi COL - NRHP Eval. for Fermi 1 dated Feb. 2012
31-71	ML12145A095	05/02/2012	2012/05/02 Fermi COL - FW: NRC3-12-0013
31-72	ML121230333	05/02/2012	CANCELED - 05/03/2012, Notice of Forthcoming Meeting to Discuss Open Items and Outstanding Requests for Additional Information Responses Relating to the Detroit Edison Combined License Application For Fermi, Unit 3.
31-73	ML121230195	05/03/2012	05/17/2012-Notice of Forthcoming Meeting to Discuss Open Items and Outstanding Requests For Additional Information Responses Relating to the Detroit Edison Combined License Application For Fermi, Units 3.
31-74	ML121240489	05/03/2012	05/31/2012 Notice of Forthcoming Meeting to Discuss Open Items and Outstanding Requests For Additional Information Responses Relating to the Detroit Edison Combined License Application For Fermi, Unit 3.
31-75	ML12144A321	05/07/2012	Letter From Michigan State Historic Preservation Office Accepting Detroit Edison's Recordation Materials For The Fermi Unit 1 Atomic Power Plant.
31-76	ML12124A166	05/07/2012	Request For Additional Information Letter No. 74 Related To Section 5 Of The Environmental Report Part 03 For The Fermi, Unit 3 Combined License Application.
31-77	ML12124A135	05/07/2012	Request for Additional Information Letter No. 75 Related to Air Conformity Requirements that are associated with the Fermi 3 Combined License Application.
31-78	ML12145A699	05/08/2012	2012/05/08 Fermi COL - FW: Chapter 10 SER
31-79	ML12145A093	05/09/2012	2012/05/09 Fermi COL - Draft RAI 6446
31-80	ML12132A368	05/09/2012	Fermi 3, Detroit Edison Company Response to NRC Request for Additional Information Letter No. 74.

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title</b>
31-81	ML12145A089	05/16/2012	2012/05/16 Fermi COL - Fermi 3 COLA Draft RAI 6446
31-82	ML12137A770	05/17/2012	Request For Additional Information Letter No. 77 Related To Chapter 1.05 For The Fermi 3 Combined License Application.
31-83	ML12142A345	05/18/2012	Detroit Edison Company, Fermi 3 COLA, Request Changes of Addressee and Service List Associated with Fermi 3 Correspondence from the NRC.
31-84	ML12137A558	05/21/2012	06/8/2012 - Forthcoming Meeting To Discuss Open Items And Outstanding Requests For Additional Information Responses Relating To The Detroit Edison Combined License Application For Fermi Unit 3.
31-85	ML12144A322	05/22/2012	Fermi 3, Detroit Edison Company Response to NRC Request for Additional Information Letter No. 70.
31-86	ML12144A101	05/23/2012	6/11/2012 - Notice of Forthcoming Meeting to Discuss Applicant's Approach For Responding To Request For Additional Information Related To Fukushima Recommendation 2.1 For The Fermi 3 Combined License Application.

**Attachment 2****Fermi COL Hearing File and Mandatory Disclosures  
Privilege Log – Proprietary Information  
Update 31 – June 1, 2012**

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding have been determined by the NRC Staff to contain trade secrets, privileged or confidential commercial or financial information subject to withholding from public disclosure pursuant to 10 C.F.R. § 2.390. Pursuant to 10 C.F.R. § 2.336(b)(5), the Staff is providing this log to identify the following documents, designated “proprietary,” and subject to protected status under Section 2.390.

	<b>Accession Number</b>	<b>Author Name/ Affiliation:</b>	<b>Title/Description</b>	<b>Document Date</b>	<b>Document Type</b>	<b>Addressee / Addressee Affiliation</b>	<b>Comment</b>	<b>Pages</b>
31-1	ML421090187	NRC	SER Chapter 10 – Steam and Power Conversion System	4/26/12	SER Chapter	NRC/NRO	Proprietary	24



June 1, 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-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 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 April 19, 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)**

Adrian Muñiz  
Project Manager, Licensing Branch 3  
Division of New Reactor Licensing  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D38M  
Washington, DC 20555-0001  
(301) 415-4093  
Adrian.Muniz@nrc.gov

Executed in Rockville, MD  
this 1st day of June, 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 June 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 June, 2012:

Ronald M. Spritzer, Chair  
Administrative Judge  
Atomic Safety and Licensing Board  
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**/Signed (electronically) by/**

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Dated at Rockville, Maryland  
this 1st day of June, 2012