

July 16, 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 A. 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. 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/**

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Counsel for NRC Staff  
U.S. Nuclear Regulatory Commission  
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Enclosures: Attachment 1: Hearing File Index  
Attachment 2: Affidavit of Michael A. Eudy

**Attachment 1****Victoria County Station ESP Hearing File and Mandatory Disclosures  
Hearing File Index  
Update 12 – July 16, 2012**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title\Description</b>
12-1	ML12129A166	02/28/2012	Phase IB Investigations of the Proposed Site for Victoria County Station, Units 1 and 2, Victoria County, Texas, Volume II: Cultural Landscape, Historic Resources, and Visual Impact Investigations, Chapter 4 - Pages 212 - 222.
12-2	ML12125A371	03/08/2012	Victoria County Station, Early Site Permit Application, Transmittal of VCS Phase 1b Cultural Resources Investigation Report, Volume II.
12-3	ML12178A047	05/31/2012	Exelon Nuclear Texas Holdings, LLC, Victoria County Station Early Site Permit Application, Environmental Report - Response to ER RAI Letter No. 5.
12-4	ML12159A099	06/04/2012	Environmental Request for Additional Information Letter No. 15 re Hydrology For Victoria County Station Early Site Permit Application.
12-5	ML12192A649	06/05/2012	2012/06/05 Victoria ESP - FW: Courtesy copy of Exelon letter NP-12-0021 - Response to ER RAI Letter No.5
12-6	ML12192A656	06/05/2012	2012/06/05 Victoria ESP - RE: Courtesy copy of Exelon Letter NP-12-0023 - Response to NRC RAI Letter No.7
12-7	ML12157A401	06/05/2012	Victoria County Station - Early Site Permit Application, Environmental Report - Response to ER RAI Letter No. 7.
12-8	ML12192A391	06/06/2012	2012/06/06 Victoria ESP - Environmental Request for Additional Information Letter No. 12 Related to Radiological Health Impacts for Victoria County Station Early Site Permit Application
12-9	ML12192A399	06/06/2012	2012/06/06 Victoria ESP - Environmental Request for Additional Information Letter No. 13 Related to Radioactive Waste Management Systems and Nonradioactive waste Systems for

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title\Description</b>
12-10	ML12192A395	06/06/2012	2012/06/06 Victoria ESP - Environmental Request for Additional Information Letter No. 14 Related to Meteorology & Air Quality for Victoria Station Early Site Permit Application
12-11	ML12192A383	06/06/2012	2012/06/06 Victoria ESP - Environmental Request for Additional Information Letter No. 15 Related to Hydrology for Victoria County Station Early Site Permit Application
12-12	ML12192A389	06/06/2012	2012/06/06 Victoria ESP - Environmental Request for Additional Information Letter No. 16 Related to Socioeconomics/Environmental Justice Victoria County Station Early Site Permit Application
12-13	ML12192A380	06/06/2012	2012/06/06 Victoria ESP - FW: Environmental Request for Additional Information Letter No. 15 Related to Hydrology for Victoria County Station Early Site Permit Application
12-14	ML12192A375	06/08/2012	2012/06/08 Victoria ESP - FW: Draft Cumulative Impacts RAIs
12-15	ML12192A377	06/08/2012	2012/06/08 Victoria ESP - FW: Environmental Request For Additional Information Letter No. 11, Related To Nonradiological Health Impacts For The Victoria County Station Early Site Permit Application
12-16	ML12179A403	06/11/2012	Victoria County Station - Early Site Permit Application, Environmental Report Response to ER RAI Letter No. 8.
12-17	ML12179A383	06/18/2012	Victoria County Station, Early Site Permit Application, Response to RAI Letters No. 6 and No. 9 on Environmental Report.
12-18	ML12193A003	06/26/2012	2012/06/26 Victoria ESP - FW: Courtesy Copy of Exelon Letter NP-12-0027 Response to RAI Letter No. 16 (RAI 11.03-4, Response Revision 1)
12-19	ML12193A001	06/26/2012	2012/06/26 Victoria ESP - FW: NRC Geotechnical Audit Dates
12-20	ML12178A531	06/26/2012	Victoria County Station Early Site Permit Application, Response to Request for Additional Information (RAI) Letter No. 16 RAI 11.03-4, Response Revision 1.
12-21	ML12193A000	06/27/2012	2012/06/27 Victoria ESP - FW: May 22, 2012 Conference Call Attendees

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title\Description</b>
12-22	ML12137A550	06/28/2012	Information Request for the Victoria County Station Early Site Permit Application Review.
12-23	ML12192A387	07/05/2012	2012/07/05 Victoria ESP - RE: Courtesy copy of Exelon Letter NP-12-0025 - Response to ER RAI Letter No.11
12-24	ML12187A216	07/05/2012	Victoria County Station Early Site Permit Application Environmental Report - Response to ER RAI Letter No. 11.
12-25	ML12192A362	07/09/2012	2012/07/09 Victoria ESP - FW: Courtesy copy of Exelon letter NP-12-0024 - Response to ER RAI Letter No.8
12-26	ML12192A374	07/10/2012	2012/07/10 Victoria ESP - FW: Courtesy copy of Exelon letter NP-12-0022 - Response to ER RAI Letters No.6 and No.9

July 16, 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 A. EUDY CONCERNING  
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. §§ 2.336(b) and 2.1203

I, Michael A. 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 July 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 A. 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 16th day of July, 2012

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
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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 July 16, 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 A. Eudy, have been served upon the following persons by Electronic Information Exchange this 16th day of July, 2012:

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 16th day of July, 2012