

August 9, 2012

E. Roy Hawkens, Chair
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. Michael F. Kennedy
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. William C. Burnett
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

In the Matter of
Florida Power & Light Company
(Turkey Point Units 6 and 7)
Docket Nos. 52-040 and 52-041

Dear Administrative Judges:

Pursuant to the Licensing Board's Memorandum and Order dated March 30, 2011, the Staff is providing the Licensing Board and the parties an index identifying additions to the Hearing File required to be disclosed by the Staff pursuant to 10 C.F.R. § 2.336(d). The index contains the ADAMS accession number, date, and title of each listed document so as to make each document readily retrievable from the agency's website, www.nrc.gov, using the ADAMS "Find" function. Additionally, the Staff will add the documents identified in the index to the agency's Electronic Hearing Docket ("EHD") associated with this proceeding entitled "Turkey Point Hearing File." Also attached, as required by 10 C.F.R. § 2.336(c), is the Affidavit of Manny Comar.

In accordance with the Licensing Board's March 30, 2011, Memorandum and 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 now producing privilege logs. In accordance with the March 30, 2011, Order, however, the Staff is required to produce a log of documents withheld as containing proprietary information. In preparing the enclosed Hearing File Index update, the Staff identified no documents for inclusion on the log of documents withheld as containing proprietary information. As directed by the Licensing Board, the Staff is preserving and maintaining all privileged documents during the pendency of this proceeding.

Also in accordance with the March 30, 2011, Order, the Staff hereby updates the status of its schedule for issuing its review documents prepared in connection with the Application. The schedule has not changed since the last hearing file update. As indicated in the Staff letter to the Licensing Board dated May 10, 2012, the schedule for the safety and environmental reviews set forth in the Staff letter to the Licensing Board dated November 3, 2011, is no longer viable. In a letter dated May 4, 2012, to M. Nazar, FPL, from D.B. Matthews, NRO (ADAMS Accession No. ML120740390), the Staff informed FPL that the Staff would reassess FPL's overall review schedule following the receipt of information requested in the May 4 letter. When the Staff sets new review schedules in light of the requested information, the Staff will promptly inform the Board and parties.

Respectfully submitted,

/Signed (electronically) by/

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Enclosures: Attachment 1: Hearing File Index
Attachment 2: Affidavit of Manny Comar

Attachment 1

**Turkey Point COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 16 – August 9, 2012**

	Accession Number	Document Date	Title\Description
16-1	ML12192A283	12/31/1977	NUREG-0170, Vol. 1, Final Environmental Statement on the Transportation of Radioactive Material by Air & Other Modes.
16-2	ML12193A250	05/31/1979	NPS (National Park Service). 1979. Everglades National Park Master Plan. Homestead, Florida. (TN104).
16-3	ML12195A248	10/31/1988	Jarvinen, B.R., C.J. Neumann, and M.A. Davis. 1984. A Tropical Cyclone Data Tape for the North Atlantic Basin, 1886-1983; Contents, Limitations, and Uses. National Hurricane Center, Miami, Florida. TN276.
16-4	ML12198A099	10/31/1993	Smith, K.N. 1993. Manatee Habitat and Human-related Threats to Seagrass in Florida: A Review. Department of Environmental Protection, Tallahassee, Florida. TN218.
16-5	ML12193A218	12/31/1996	McPherson, B.F. and R. Halley. 1996. The South Florida Environment - A Region Under Stress. U.S. Geological Survey Circular 1134, Washington, D.C. TN98.
16-6	ML12195A232	01/27/1997	FWS (U.S. Fish and Wildlife Service). 1997. Revised Recovery Plan for the U.S. Breeding Population of the Wood Stork. Atlanta, Georgia. TN225.
16-7	ML12193A285	04/30/1999	USACE/SFWMD (U.S. Army Corps of Engineers/South Florida Water Management District). 1999. Final Integrated Feasibility Report and Programmatic Environmental Impact Statement. Washington, D.C. TN116.
16-8	ML12193A340	05/18/1999	FWS (U.S. Fish and Wildlife Service). 1999. South Florida Multi-Species Recovery Plan. Southeast Region, Atlanta, Georgia. TN136.
16-9	ML12195A211	07/31/1999	DOE (U.S. Department of Energy). 1999. DOE Standard Radiological Control, DOE-STD-1098-99, Washington, D.C. TN299.
16-10	ML12198A135	10/30/2001	FWS (U.S. Fish and Wildlife Service). 2001. Florida Manatee Recovery Plan, (Trichechus manatus latirostris). Third Revision, Southeast Region, Atlanta, Georgia. TN223.
16-11	ML12192A286	07/31/2002	DOE (U.S. Department of Energy). 2002. A Resource Handbook on DOE Transportation Risk Assessment. DOE/EM/NTP/HB-01, Washington, D.C. TN418.
16-12	ML12198A158	10/30/2003	FWS (U.S. Fish and Wildlife Service). 2003. Draft Snail Kite Consultation Area Map. South Florida Ecological Field Services Office, Vero Beach, Florida. TN227.
16-13	ML12193A328	10/06/2005	USACE (U.S. Army Corps of Engineers). 2005. Comprehensive Everglades Restoration Plan Central and Southern Florida Project 2005 Report to Congress. Washington, D.C. TN 121 Accessed January 9, 2012.

	Accession Number	Document Date	Title\Description
16-14	ML12194A659	05/05/2006	FWS (U.S. Fish and Wildlife Service). 2006. Letter from P. Souza to F. Gillespie dated May 5, 2006.
16-15	ML12192A226	09/30/2006	Weiner, R. F., D.M. Osborn, D. Hinojosa, T.J. Heames, J. Penisten, and D. Orcutt, 2008. RADCAT 2.3 User Guide. SAND2006-6315, Sandia National Laboratories, Albuquerque, New Mexico. TN302.
16-16	ML12198A091	02/19/2007	FWS (U.S. Fish and Wildlife Service). 2007. Letter from P. Souza to D.S. Hobbie dated February 19, 2007, regarding "Florida Panther Effect Determination Key." South Florida Ecological Services Office, Vero Beach, Florida. TN230.
16-17	ML12193A351	12/11/2008	Griffith, G.E. and J.M. Omernik. 2008. "Ecoregions of Florida (EPA)." In Encyclopedia of Earth, Washington, D.C. TN138.
16-18	ML12195A241	06/30/2009	NOAA (National Oceanic and Atmospheric Administration). 2009. Final Amendment 1 to the Consolidated Atlantic Highly Migratory Species Fishery Management Plan Essential Fish Habitat. National Marine Fisheries Service, Silver Spring, Maryland. TN229.
16-19	ML12195A195	09/18/2009	FPL (Florida Power & Light Company). 2009. 2009 Annual Report Ground-Water Monitoring Program. Golder Associates Inc., Atlanta, Georgia. TN268.
16-20	ML12193A209	10/02/2009	Ecological Associates, Inc., 2009. Letter from M.S. Mohlmann to M. Raffenberg dated October 2, 2009 Regarding "Nearshore Benthic Macroinvertebrates in Biscayne Bay and Card Sound." Jensen Beach, Florida. TN97.
16-21	ML12193A539	10/14/2009	SFWMD (South Florida Water Management District). 2009. FPL Turkey Point Power Plant Groundwater, Surface Water, and Ecological Monitoring Plan. West Palm Beach, Florida. TN149.
16-22	ML12192A272	04/12/2010	DOT (U.S. Department of Transportation). 2008. Traffic Safety Facts, Glades County, Florida, 2004-2008. National Highway Traffic Safety Administration, Washington, D.C. TN414.
16-23	ML12192A257	04/12/2010	DOT (U.S. Department of Transportation). 2008. Traffic Safety Facts, Miami-Dade County, Florida, 2004-2008. National Highway Traffic Safety Administration, Washington, D.C.
16-24	ML12192A280	04/12/2010	DOT (U.S. Department of Transportation). 2008. Traffic Safety Facts, St. Lucie County, Florida, 2004-2008. National Highway Traffic Safety Administration, Washington, D.C. TN411.
16-25	ML12198A127	05/31/2010	Ohls, C.L., S.W. Grabe, and M.A. DiMaggio. 2010. Candidate Species for Florida Aquaculture: Pinfish, Lagodon rhomboides. FA168, University of Florida IFAS Extension, Gainesville, Florida TN219.
16-26	ML12192A251	12/31/2010	DOT (U.S. Department of Transportation). 2010. National Transportation Statistics 2010. Bureau of Transportation Statistics, Washington, D.C. N408.

	Accession Number	Document Date	Title\Description
16-27	ML12198A160	12/31/2010	FWS (U.S. Fish and Wildlife Service). 2010. Cape Sable Seaside Sparrow (<i>Ammodramus maritimus mirabilis</i>) 5-Year Review: Summary and Evaluation. South Florida Ecological Services Field Office, Vero Beach, Florida. TN256.
16-28	ML12198A094	12/31/2010	SFWMD (South Florida Water Management District). 2005. South Dade Wetlands Conceptual Land Management Plan 2005 - 2010. West Palm Beach, Florida. TN217.
16-29	ML12192A238	02/15/2011	FPL (Florida Power & Light Company). 2011. Stormwater Management Plan and Calculations. Golder Associates Inc., Jacksonville, Florida. TN303.
16-30	ML12193A196	03/01/2011	SFWMD (South Florida Water Management District). 2011. C-111 Spreader Canal and Biscayne Bay Coastal Wetlands Project Updates. West Palm Beach, Florida. Accessed November 28, 2011 TN96.
16-31	ML12194A658	06/22/2011	FWS (U.S. Fish and Wildlife Service). 2010. U.S. Fish and Wildlife Species Assessment and Listing Priority Assignment Form - Everglades Bully. Southeast Region, Atlanta, Georgia. TN833.
16-32	ML12194A660	06/22/2011	FWS (U.S. Fish and Wildlife Service). 2010. U.S. Fish and Wildlife Species Assessment and Listing Priority Assignment Form - Everglades Bully. Southeast Region, Atlanta, Georgia. TN834.
16-33	ML12193A277	06/27/2011	USACE (U.S. Army Corps of Engineers). 2010. Comprehensive Everglades Restoration Plan Central and Southern Florida Project 2010 Report to Congress. Washington, D.C. TN113.
16-34	ML12195A316	08/01/2011	GMFMC(Gulf of Mexico Fishery Management Council).2011.Final Amendment 10 to the Fishery Management Plan for Spiny Lobster in the Gulf of Mexico and South Atlantic,Including Final EIS, Regulatory Impact Review, and Regulation TN 214.
16-35	ML12193A232	08/31/2011	NPS (National Park Service). 2011. Biscayne National Park Draft General Management Plan/Environmental Impact Statement. Homestead, Florida. (TN103).
16-36	ML12207A494	09/23/2011	CDC (Centers for Disease Control). 2011. "Surveillance for Waterborne Disease Outbreaks and Other Health Events Associated with Recreational Water - United States, 2007-2008 and Surveillance for Waterborne Disease Outbreaks Associated with Drinking Wat.
16-37	ML12193A310	09/30/2011	FNAI (Florida Natural Areas Inventory). 2011. FNAI Tracking List Miami-Dade County. Tallahassee, Florida. TN118.
16-38	ML12193A530	10/07/2011	FWS (U.S. Fish and Wildlife Service). 2011. Species Assessment and Listing Priority Assignment Form [Florida Bonneted Bat]. Arlington, Virginia. TN147.
16-39	ML12193A319	01/05/2012	FWS (U.S. Fish and Wildlife Service). 2012. Natural Resources of Concern Miami-Dade, Florida. South Florida Ecological Services, Vero Beach, Florida. TN117.

	Accession Number	Document Date	Title\Decription
16-40	ML12198A164	01/09/2012	FWS (U.S. Fish and Wildlife Service). 2012. Florida Grasshopper Sparrow (<i>Ammodramus savannarum floridanus</i>). Environmental Conservation Online System, Washington, D.C. TN284.
16-41	ML12193A547	01/31/2012	USCB (U.S. Census Bureau). 2012, State & County QuickFacts, Homestead (city), Florida. Washington, D.C. TN704.
16-42	ML12193A526	02/06/2012	FWS (U.S. Fish and Wildlife Service). 2012. Species Profile Red Knot (<i>Calidris canutus ssp. rufa</i>). Environmental Conservation Online System, Arlington, Virginia. TN146.
16-43	ML12193A520	02/06/2012	Opler, P.A., K. Lotts, and T. Naberhaus, coordinators. 2012. Butterflies and Moths of North America. TN142.
16-44	ML12198A134	02/09/2012	SREL (Savannah River Ecology Laboratory). 2012. American Alligator (<i>Alligator mississippiensis</i>). Herpetology Program, Aiken, South Carolina. TN221.
16-45	ML12195A245	02/27/2012	NPS (National Park Service). 2011. East Everglades Expansion Area, Washington, D.C. TN242.
16-46	ML12192A297	03/14/2012	BLS (Bureau of Labor Statistics). 2011. May 2010 Metropolitan and Nonmetropolitan Area Occupational Employment and Wage Estimates Miami-Miami Beach-Kendall, FL Metropolitan Division. U.S. Department of Labor, Washington, D.C. TN439.
16-47	ML12198A335	03/21/2012	FWS (U.S. Fish and Wildlife Service). 2012. Ivory-Billed woodpecker (<i>Campephilus Principalis</i>). Environmental Conservation Online System, Washington, D.C. TN286.
16-48	ML12198A172	03/21/2012	FWS (U.S. Fish and Wildlife Service). 2012. Red-Cockaded woodpecker (<i>Picoides Borealis</i>). Environmental Conservation Online System, Washington, D.C. TN287.
16-49	ML12198A167	03/21/2012	FWS (U.S. Fish and Wildlife Service). 2012. Florida Scrub-jay (<i>Aphelocoma coerulescens</i>). Environmental Conservation Online System, Washington, D.C. TN285.
16-50	ML12192A298	04/02/2012	BLS (Bureau of Labor Statistics). 2012. Local Area Unemployment Statistics. U.S. Department of Labor, Washington, D.C. TN440.
16-51	ML12194A603	04/20/2012	NPS (National Park Service). 2012. Big Cypress National Preserve, Florida. Washington, D.C. TN707.
16-52	ML12198A213	05/28/2012	Turkey Point, Units 6 & 7, Water Containments of Emerging Concern. USEPA 2012.
16-53	ML12187A572	07/02/2012	Proposed Turkey Point Units 6 and 7, Schedule for Response to NRC Request for Additional Information Letter No. 063 (eRAI 5695) Related to SRP Section 11.02 - Liquid Waste Management System.
16-54	ML12185A210	07/10/2012	07/24/2012 - Notice of Forthcoming Meeting to Discuss Geology, Seismology and Geotechnical Engineering Issues With Florida Power and Light's COL Application For Turkey Point Units 6 and 7.

	Accession Number	Document Date	Title\Description
16-55	ML12215A524	07/11/2012	2012/07/11 Turkey Point COL Hearing - REQUEST FOR ADDITIONAL INFORMATION LTR. No: 64 RELATED TO SRP: 03.05.03 BARRIER DESIGN PROCEDURE FOR THE TURKEY POINT UNITS 6 AND 7 COMBINED LICENSE APPLICATION
16-56	ML12194A143	07/12/2012	7/25/12 - Notice of Forthcoming Public Teleconference to Discuss the Environmental Review Related to Florida Power and Light's Turkey Point Units 6 and 7 Combined License Application.
16-57	ML12198A020	07/12/2012	Proposed Turkey Point Units 6 and 7 - 10 CFR 50.46 Thirty (30) Day Report for the AP1000 Standard Plant Design.
16-58	ML12199A170	07/13/2012	Enclosure 1: Florida Power & Light Company Turkey Point Units 6 & 7 - Exploratory Well Project; Permit #0293962-001-UC, Weekly Construction Summary #58 dated June 15, 2012.
16-59	ML12199A172	07/13/2012	Enclosure 2: Florida Power & Light Company Turkey Point Units 6 & 7 - Exploratory Well Project; Permit #0293962-001-UC, Weekly Construction Summary #59 dated June 22, 2012.
16-60	ML12199A173	07/13/2012	Enclosure 3: Florida Power & Light Company Turkey Point Units 6 & 7 - Exploratory Well Project; Permit #0293962-001-UC, Weekly Construction Summary #60 dated June 29, 2012.
16-61	ML12199A149	07/13/2012	Proposed Turkey Point, Units 6 and 7, Response to NRC Request for Additional Information Letter No. 063 (eRAI 5695) Related to SRP Section 11.02 - Liquid Waste Management System.
16-62	ML12199A171	07/13/2012	Turkey Point, Units 6 and 7 - Submittal of Underground Injection Control Exploratory Well Weekly Construction Summaries - #58, #59, and #60.
16-63	ML12193A330	07/18/2012	Bellmund, S., G. Graves, S. Krupa, H. Jobert, G. Garis, and S. Blair. 2008. Effects of Groundwater on Salinity in Biscayne Bay. Naples, Florida. TN 123
16-64	ML12193A519	07/18/2012	FNAI (Florida Natural Areas Inventory). 2000. Field Guide to the Rare Plants and Animals of Florida. Tallahassee, Florida. Accessed February 3, 2012 TN139.
16-65	ML12194A585	07/18/2012	FWS (U.S. Fish & Wildlife Service); Crocodile Lake National Wildlife Refuge Recreation an Education Opportunities. Key Largo, Florida, TN706.
16-66	ML12193A532	07/18/2012	FWS (U.S. Fish and Wildlife Service). 2012. Species Profile Florida Leafwing Butterfly (Anaea troglodyta Floridais). Environmental Conservation Online System, Arlington, Virginia. TN148.
16-67	ML12202A068	07/18/2012	Proposed Turkey Point, Units 6 and 7 - Response to NRC Request for Additional Information Letter 120329 (eRAI 6354 Rev. 0) Related to ESRP Section 2.3.1 - Hydrology.
16-68	ML12192A295	07/19/2012	BEER (Bureau of Economic and Business Research). 2004. Historical Census Counts for Florida and its Counties 1830 through 2000. Gainesville, Florida. TN438.

	Accession Number	Document Date	Title\Description
16-69	ML12192A293	07/20/2012	BEA (Bureau of Economic Analysis). 2011. Bearfacts Miami-Dade, Florida. U.S. Department of Commerce, Washington, D.C. TN434.
16-70	ML12192A260	07/20/2012	DOT (U.S. Department of Transportation). 2008. Traffic Safety Facts, Martin County, Florida 2004-2008. National Highway Traffic Safety Administration, Washington, D.C.
16-71	ML12192A288	07/20/2012	Friedberg, W. and K. Copeland. 2003. What Aircrews Should Know About Their Occupational Exposure to Ionizing Radiation. DOT/FAA/AM-03/16, Federal Aviation Administration, Oklahoma City, Oklahoma. TN419.
16-72	ML12195A228	07/23/2012	FLEPPC (Florida Exotic Pest Plant Council). 2011. Florida Exotic Pest Plant Council's 2011 List of Invasive Plant Species. Fort Lauderdale, Florida. TN240.
16-73	ML12198A150	07/24/2012	FWS (U.S. Fish and Wildlife Service). 2011. Loggerhead Sea Turtle (Caretta caretta). North Florida Ecological Services Office, Jacksonville, Florida. TN224.
16-74	ML12212A085	07/26/2012	Attachment 1 - FPL Response to NRC RAI No. 02.04.06-7 (eRAI 6225), Pages 1 to 56.
16-75	ML12212A086	07/26/2012	Attachment 1 - FPL Response to NRC RAI No. 02.04.06-7 (eRAI 6225), Pages 57 to 87.
16-76	ML12212A088	07/26/2012	Attachment 2 - FPL Response to NRC RAI No. 02.04.06-8 (eRAI 6225).
16-77	ML12212A083	07/26/2012	Turkey Point Units 6 and 7 - Response to NRC Request for Additional Information Letter No. 047 (eRAI 6225) Standard Review Plan Section 02.04.06 - Probable Maximum Tsunami Flooding.
16-78	ML12205A348	07/30/2012	6/7/12 - Summary of Meeting with South Florida Water Management District Related To the Alternative Sites For the Proposed Turkey Point Units 6 And 7 Environmental Review.
16-79	ML12214A592	07/30/2012	Turkey Point, Units 6 and 7 - Response to NRC Request for Additional Information Letter No. 61 (eRAI 6432) Related to SRP Section 03.07.01 - Seismic Design Parameters.
16-80	ML12214A591	07/30/2012	Turkey Point, Units 6 and 7, Revised Schedule for Responses to NRC Request for Additional Information Letter No. 62 (eRAI 6433) Related to SRP Section 03.08.05 - Foundations.
16-81	ML12214A542	07/31/2012	Turkey Point, Units 6 and 7 - Revised Schedule for Response to NRC Request for Additional Information Letter 120329 (eRAI 6534 Rev. 0) Related to ESRP Section 2.3.1 - Hydrology.

August 9, 2012

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
FLORIDA POWER & LIGHT COMPANY) Docket Nos. 52-040 & 52-041
)
(Turkey Point Units 6 and 7))

AFFIDAVIT OF MANNY COMAR CONCERNING
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. §§ 2.336(d) and 2.1203

I, Manny Comar, do hereby state as follows:

1. I am employed as a Senior Project Manager in Licensing Branch 4 of the Division of New Reactor Licensing in the Nuclear Regulatory Commission's ("NRC") Office of New Reactors. I serve as a project manager for the NRC's review of the Combined License Application submitted by the Florida Power & Light Company, at issue in this proceeding.

2. In accordance with the Licensing Board's March 30, 2011, Memorandum and Order, I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. §§ 2.336(d) and 2.1203 in the captioned proceeding have been disclosed and that the disclosures are accurate and complete as of August 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)

Manny Comar
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Executed in Rockville, MD
this 9th day of August, 2012

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
FLORIDA POWER & LIGHT COMPANY) Docket Nos. 52-040 & 52-041
)
(Turkey Point Units 6 and 7))

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated August 9, 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 Manny Comar, have been served upon the following persons by Electronic Information Exchange this 9th day of August, 2012:

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Dated at Rockville, Maryland
this 9th day of August, 2012