

August 15, 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/**

Sarah W. Price  
Counsel for NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, D.C. 20555-0001  
(301) 415-2047  
(301) 415-3725 fax  
Sarah.Price@nrc.gov

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 13 – August 15, 2012**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title\Decription</b>
13-1	ML12185A181	07/10/2012	05/22/2012-Summary of Public Meeting With Exelon Nuclear Texas Holdings To Discuss Their Response to RAI 11.03-4 Relating To NRC Staff's Review of Exelon Nuclear Texas Holdings Victoria County Station ESP Application.
13-2	ML12221A481	07/10/2012	2012/07/10 Victoria ESP - Draft Information Needs and Audit Itinerary
13-3	ML12221A480	07/10/2012	2012/07/10 Victoria ESP - FW: Draft Information Needs and Audit Itinerary
13-4	ML12192A613	07/10/2012	Victoria County Station, Environmental Report - Partial Response to ER RAI Letter No. 14.
13-5	ML12222A479	07/12/2012	2012/07/12 Victoria ESP - FW: Courtesy copy of Exelon Letter NP-12-0029 - Partial Response to ER RAI Letter No. 14
13-6	ML12222A477	07/12/2012	2012/07/12 Victoria ESP - FW: Courtesy copy of Exelon letter NP-12-0030 - Response to ER RAI Letter No. 16
13-7	ML12222A475	07/12/2012	2012/07/12 Victoria ESP - RE: Courtesy copy of Exelon letter NP-12-0030 - Response to ER RAI Letter No. 16
13-8	ML12219A190	07/13/2012	Victoria County Station Early Site Permit Application, Response to Request for Additional Information Letter No. 18.
13-9	ML12198A057	07/13/2012	Victoria County Station, Environmental Report - Responses to ER RAI Letters No. 12 and No. 13.
13-10	ML12222A473	07/16/2012	2012/07/16 Victoria ESP - FW: Courtesy copy of Exelon Letter NP-12-0028 - Response to ER RAI Letters No.12 and No.13
13-11	ML12222A471	07/16/2012	2012/07/16 Victoria ESP - RE: Courtesy copy of Exelon Letter NP-12-0028 - Response to ER RAI Letters No.12 and No.13
13-12	ML12221A479	07/16/2012	2012/07/16 Victoria ESP - VCS FUKUSHIMA RAI RESPONSE
13-13	ML12221A478	07/17/2012	2012/07/17 Victoria ESP - FW: NP-12-0026 Courtesy Copy - color

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title\Decription</b>
13-14	ML12221A477	07/23/2012	2012/07/23 Victoria ESP - FW: Missing info from Info Needs
13-15	ML12221A476	07/25/2012	2012/07/25 Victoria ESP - FW: Clarification Call on Information Needs
13-16	ML12213A250	07/30/2012	Victoria County Station, Environmental Report - Response to ER RAI Letters No. 12, No. 14, and No. 15.
13-17	ML12209A389	07/31/2012	8/15/2012 Notice of Forthcoming Meeting to Discuss Outstanding Request for Additional Information 11.02-6 Relating to Nuclear Regulatory Commission Staff's Review of Exelon Nuclear Texas Holding's Victoria County Station Early Site Permit Application.
13-18	ML12222A443	08/09/2012	2012/08/09 Victoria ESP - FW: Courtesy copy of Exelon letter NP-12-0031 - Responses to ER RAI Letters No.10 and No.15
13-19	ML12222A445	08/09/2012	2012/08/09 Victoria ESP - FW: Draft Accidents RAIs

August 15, 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 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)**

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 15th day of August, 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 August 15, 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 15th day of August, 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
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------

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
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Exelon Generation Co., LLC  
4300 Winfield Road  
Warrenville, IL 60555  
J. Bradley Fewell, Esq.  
E-mail: 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  
sburdick@morganlewis.com  
jrund@morganlewis.com;  
jfray@morganlewis.com;  
mfreeze@morganlewis.com

**/Signed (electronically) by/**

Sarah W. Price  
Counsel for NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, D.C. 20555-0001  
(301) 415-2047  
(301) 415-3725 fax  
Sarah.Price@nrc.gov

Dated at Rockville, Maryland  
this 15th day of August, 2012