



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, DC 20555 - 0001

August 30, 2012

Administrative Judge  
William J. Froehlich, Chair  
Atomic Safety and Licensing Board  
Mail Stop: T-3F23  
Washington, DC 20555-001

Administrative Judge  
Nicholas G. Trikouros  
Atomic Safety and Licensing Board  
Mail Stop: T-3F23  
Washington, DC 20555-0001

Administrative Judge  
Dr. William E. Kastenberg  
Atomic Safety and Licensing Board  
Mail Stop: T-3F23  
Washington, DC 20555-0001

In the Matter of  
FirstEnergy Nuclear Operating Co.  
(Davis-Besse Nuclear Power Station, Unit 1)  
Docket No. 50-346-LR

Dear Administrative Judges:

Pursuant to 10 C.F.R. §§ 2.1203 and 2.336 and as modified by the Atomic Safety and Licensing Board's ("Board") Memorandum and Order dated June 15, 2011 ("Order"), the staff of the Nuclear Regulatory Commission ("Staff") should provide an index identifying documents subject to disclosure under the Board's Order. As the Staff did not produce any documents to be disclosed since the last mandatory disclosure there is no index.

Pursuant to 10 C.F.R. § 2.336(c), attached is the Affidavit of Brian K. Harris, certifying that all relevant materials required by this section have been disclosed, and that the disclosures are accurate and complete as to documents identified by August 24, 2012.

The NRC Staff notes that it has made a good faith effort to identify and characterize all documents meeting the criteria of 10 C.F.R. § 2.336(b) and 10 C.F.R. § 2.1203 in this proceeding. In identifying these documents, the Staff does not concede their relevance to the license renewal issues to be decided in this proceeding.

The NRC Staff notes the Safety Evaluation Report ("SER") with open items was published July 31, 2012 and the Staff is currently expecting to publish the SER in October 2012. As previously noted, the Staff is currently unable to project dates for the publication of the Draft Supplemental Environmental Impact Statement ("DSEIS") and the Final SEIS at this time.

Respectfully submitted,

**/signed (electronically) by/**

Lloyd B. Subin  
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Enclosures: Attachment 1: Affidavit of Brian K. Harris

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
FIRSTENERGY NUCLEAR OPERATING CO.	)	Docket No. 50-346-LRA
	)	
(Davis-Besse Nuclear Power Station, Unit 1)	)	
	)	

AFFIDAVIT OF BRIAN K. HARRIS CONCERNING  
MANDATORY DISCLOSURE REQUIREMENT OF 10 C.F.R. § 2.336(b)

I, Brian K. Harris, do hereby state as follows:

1. I am employed as a Project Manager in the Division of License Renewal in the U.S. Nuclear Regulatory Commission's ("NRC") Office of Nuclear Reactor Regulation. I serve as a project manager for the Davis-Besse Nuclear Power Station, Unit 1, license renewal application ("LRA"). Among other things, I am managing the preparation of the hearing file and mandatory disclosures in connection with the LRA 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 (b) and (c) in the captioned proceeding have been disclosed in the attached disclosures are accurate and complete for documents identified as of August 24, 2012.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

**Executed in Accord with 10 C.F.R. § 2.304(d)**

Brian K. Harris  
Executed in Rockville, Maryland  
this 30<sup>th</sup> day of August, 2012

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
FIRSTENERGY NUCLEAR OPERATING CO.	)	Docket No. 50-346-LRA
	)	
(Davis-Besse Nuclear Power Station, Unit 1)	)	
	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the Letter from Lloyd B. Subin to the Board, dated August 30, 2012 and the Affidavit of Brian K. Harris Concerning Mandatory Disclosure Requirement of 10 C.F.R. § 2.336(b), dated August 30, 2012, in the above-captioned proceeding have been served on the following by Electronic Information Exchange this 30th day of August, 2012.

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**/Signed (electronically) by/**

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