

October 11, 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, as modified by the Licensing Board's Notice dated September 12, 2012, 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 one document for inclusion on the log of documents withheld as containing proprietary information. Accordingly, a privilege log is attached. 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/

Richard S. Harper
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-15 D21
Washington, D.C. 20555-0001
(301) 415-5236
(301) 415-3725 fax
Richard.harper@nrc.gov

Enclosures: Attachment 1: Hearing File Index
Attachment 2: Privilege Log
Attachment 3: Affidavit of Manny Comar

Attachment 1

**Turkey Point COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 18 – October 11, 2012**

	Accession Number	Document Date	Title\Decription
18-1	ML12271A517	07/18/2012	2012/07/18 Turkey Point COL Hearing - FPL Letter L-2012-285 Dated 18JUL12: Response to NRC RAI Letter 120329 (eRAI 6354 Rev. 0) ESRP 2.3.1 - Hydrology
18-2	ML12271A404	07/25/2012	2012/07/25 Turkey Point COL Hearing - Fw: South District 2010 Annual Effluent Analysis
18-3	ML12271A405	07/25/2012	2012/07/25 Turkey Point COL Hearing - MDWASD South District WWTP 2012 Annual Effluent Analysis
18-4	ML12271A413	07/25/2012	2012/07/25 Turkey Point COL Hearing - South District 2007 Annual Effluent Analysis
18-5	ML12271A416	07/25/2012	2012/07/25 Turkey Point COL Hearing - South District 2008 Annual Effluent Analysis
18-6	ML12271A411	07/25/2012	2012/07/25 Turkey Point COL Hearing - South District 2009 Annual Effluent Analysis
18-7	ML12271A415	07/25/2012	2012/07/25 Turkey Point COL Hearing - South District 2011 Annual Effluent Analysis
18-8	ML12271A420	07/27/2012	2012/07/27 Turkey Point COL Hearing - RE: South District 2007 Annual Effluent Analysis
18-9	ML12271A516	07/31/2012	2012/07/31 Turkey Point COL Hearing - FPL Letter L-2012-304 Dated 31JUL12: Revised Schedule for Response to NRC RAI Letter 120329 (eRAI 6354 Rev. 0) ESRP 2.3.1 - Hydrology
18-10	ML12271A432	08/02/2012	2012/08/02 Turkey Point COL Hearing - FW: Request for submission of the Miami-Dade Water and Sewer Department (M-DWASD) South District Wastewater Treatment Plan (SDWWTP) Annual Wastestream Analyses Reports from 2007 to the present.
18-11	ML12271A445	08/09/2012	2012/08/09 Turkey Point COL Hearing - Link to USGS modeling study on salinity in Biscayne Bay (public)
18-12	ML12271A515	08/20/2012	2012/08/20 Turkey Point COL Hearing - FPL Letter L-2012-296 Dated 20AUG12: Response to NRC RAI Letter 120329 (RAI 6354 Rev. 0)
18-13	ML12271A514	08/20/2012	2012/08/20 Turkey Point COL Hearing - FPL Letter L-2012-317 Dated 20AUG12: Revised Schedule for Response to NRC RAI Letter 120329 (eRAI 6354 Rev. 0)
18-14	ML12271A512	08/21/2012	2012/08/21 Turkey Point COL Hearing - RE: Clarification regarding alt. sites RAIs
18-15	ML12271A513	08/21/2012	2012/08/21 Turkey Point COL Hearing - RE: Clarification regarding alt. sites RAIs
18-16	ML12271A456	08/21/2012	2012/08/21 Turkey Point COL Hearing - Revised second round alternatives RAIs (public)
18-17	ML12271A492	08/23/2012	2012/08/23 Turkey Point COL Hearing - dRAI 6353 Clarification Call w/FPL 23AUG12 - Applicant Participants

	Accession Number	Document Date	Title\Decription
18-18	ML12271A477	08/27/2012	2012/08/27 Turkey Point COL Hearing - FW: FPL Letter L-2012-227 Dated 22MAY12: Supplemental Information for the Combined License Application Part 2 Final Safety Analysis Report Chapter 11 (Radioactive Waste Management)
18-19	ML12271A470	08/27/2012	2012/08/27 Turkey Point COL Hearing - FW: L-2012-283 dated 13JUL12: Response to NRC RAI Letter No. 063 (eRAI 5695) SRP Section 11.02 - Liquid Waste Management System
18-20	ML12278A034	09/10/2012	2012/09/10 Turkey Point COL Hearing - FW: Electronic Reading Room access
18-21	ML12271A518	09/13/2012	2012/09/13 Turkey Point COL Hearing - RE: FPL Letter L-2012-345 Dated 12SEP12: Clarification Information for ER 4.4.2.2.4 - Transportation (public)
18-22	ML12278A136	09/26/2012	2012/09/26 Turkey Point COL Hearing - FPL Letter L-2012-360 Dated 26SEP12: Revised Schedule for Response to NRC RAI Letter 120329 (eRAI 6354 Rev. 0) ESRP 2.3.1 - Hydrology
18-23	ML12271B039	09/26/2012	2012/09/26 Turkey Point COL Hearing - REQUEST FOR ADDITIONAL INFORMATION LTR. No: 65 RELATED TO SRP: 08.03 STABILITY OF OFFSITE POWER SYSTEM FOR THE TURKEY POINT UNITS 6 AND 7 COMBINED LICENSE APPLICATION
18-24	ML12278A115	10/03/2012	2012/10/03 Turkey Point COL Hearing - FW: "Draft RAI" Response Schedule
18-25	ML12278A113	10/03/2012	2012/10/03 Turkey Point COL Hearing - FW: DRAFT RAI Responses FPL Turkey Point 6 & 7 for eRAI 5896 Basic Geologic and Seismic Information
18-26	ML12278A038	10/03/2012	2012/10/03 Turkey Point COL Hearing - FW: DRAFT RAI Responses FPL Turkey Point 6 & 7 for eRAI 6006 Basic Geologic and Seismic Information
18-27	ML12278A031	10/03/2012	2012/10/03 Turkey Point COL Hearing - FW: DRAFT RAI Responses FPL Turkey Point 6 & 7 for eRAI 6024 Basic Geologic and Seismic Information
18-28	ML12278A135	10/03/2012	2012/10/03 Turkey Point COL Hearing - FW: DRAFT RAI Responses FPL Turkey Point 6 & 7 for eRAI 6024 Basic Geologic and Seismic Information - Part 1 of 4
18-29	ML12278A126	10/03/2012	2012/10/03 Turkey Point COL Hearing - FW: DRAFT RAI Responses FPL Turkey Point 6 & 7 for eRAI 6024 Basic Geologic and Seismic Information - Part 2 of 4
18-30	ML12278A032	10/03/2012	2012/10/03 Turkey Point COL Hearing - FW: DRAFT RAI Responses FPL Turkey Point 6 & 7 for eRAIs 6006 & 6184 Stability of Subsurface Materials and Foundations
18-31	ML12278A118	10/03/2012	2012/10/03 Turkey Point COL Hearing - FW: Submittal of L2012-352, Response to RAI letter 64 eRAI 6544
18-32	ML12278A108	10/03/2012	2012/10/03 Turkey Point COL Hearing - FW: Submittal of L-2012-359 RAI Ltr 62 eRAI 6433, Revised Schedule for RAI 03.08.05-1 and RAI 03.08.05-2

	Accession Number	Document Date	Title\Decription
18-33	ML12269A202	03/06/2012	EPA (U.S. Environmental Protection Agency) 2012. Water Science & Technology, Contaminants of Emerging Concern Washington, D.C. TN1018.
18-34	ML12269A221	06/03/2011	FPL (Florida Power and Light Company). 2011. Conceptual Earthwork and Materials Disposal Plan. Juno Beach, Florida. TN1042.
18-35	ML12269A222	07/31/2011	FPL (Florida Power and Light Company). 2011. Turkey Point Units 6 & 7 Mitigation Plan. Revision 2, 093-87652, Juno Beach, Florida. TN1012.
18-36	ML12234A549	08/20/2012	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.
18-37	ML12265A065	09/19/2012	Proposed Turkey Point Units 6 and 7, Response to NRC Request for Additional Information Letter No. 64 (eRAI 6544) Related to SRP Section 03.05.03 - Barrier Design Procedures.
18-38	ML12237A286	08/23/2012	Proposed Turkey Point Units 6 and 7, Revised Response to NRC Request for Additional Information Letter No. 054 (eRAI 6340) - SRP Section 06.04 - Control Room Habitability System.
18-39	ML12237A285	08/23/2012	Proposed Turkey Point Units 6 and 7, Schedule for Response to NRC Request for Additional Information Letter No. 64 (eRAI 6544) Related to SRP Section 03.05.03 - Barrier Design Procedures.
18-40	ML12216A379	08/02/2012	Proposed Turkey Point, Units 6 and 7 - Revised Schedule for Response to NRC Request for Additional Information Letter No. 61 (eRAI 6432) Related to SRP Section 03.07.01 - Seismic Design Parameters.
18-41	ML12269A434	09/24/2012	Proposed Turkey Point, Units 6 and 7 - Revised Schedule for Response to NRC Request for Additional Information Letter No. 62 (eRAI 6433) Related to SRP Section 03.08.05 - Foundations.
18-42	ML12271A285	09/26/2012	Turkey Point Units 6 and 7, Revised Schedule for Response to NRC Request for Additional Information Letter 120329 (eRAI 6354 Rev. 0) Related to ESRP Section 2.3.1 - Hydrology.
18-43	ML12261A403	09/12/2012	Turkey Point, Units 6 and 7 - Clarification Information for the Combined License Application Part 3 - Environmental Report, Subsection 4.4.2.2.4 - Transportation.
18-44	ML12234A550	08/20/2012	Turkey Point, Units 6 and 7 - Revised Schedule for Response to NRC Request for Additional Information Letter 120329 (eRAI 6354 Rev. 0) Related to ESRP Section 2.3.1 - Hydrology.
18-45	ML12216A378	08/02/2012	Turkey Point, Units 6 and 7 - Submittal of Underground Injection Control Exploratory, Well Weekly Construction Summaries - #61, #62, and 63.
18-46	ML12229A455	08/15/2012	Turkey Points, Units 6 and 7 - Submittal of Underground Injection Control Exploratory Well Weekly Construction Summary - #64.

	Accession Number	Document Date	Title\Decription
18-47	ML12270A058	07/31/2011	USACE SFWMD 2011. Comprehensive Everglades Restoration Plan, Biscayne Bay Coastal Wetlands P1 Final Integrated Project Implementation Report and EIS V1 TN1038.
18-48	ML12269A241	05/22/2012	USACESFWMD (U.S. Army Corps of Engineers South Florida Water Management District). 2012. About CERP Brief Overview. Washington, D.C. TN1035.
18-49	ML12212A054	05/04/2010	Waterhouse, A. 2010, South Miami-Dade Rock Mining. South Florida Water Management District, West Palm Beach, Florida. TN677.

Attachment 2

**Turkey Point COL Hearing File and Mandatory Disclosures
Privilege Log – Proprietary Information
Update 18 – October 11, 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.

	Accession Number	Author Name/ Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Pages
18-1	ML12269A343	Richard H. Turtill NRC Staff	Safety Evaluation by the Office of Nuclear Reactor Regulation on Behalf of the Office of New Reactors for the Financial Qualification Review of the Turkey Point Power Plant, Units 6 and 7 Combined License Application.	09/27/2012	Report	Mark E. Tonacci NRC Staff	Proprietary information withheld from public disclosure in accordance with 10 C.F.R. § 2.390	10

October 11, 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, as modified by the Licensing Board's September 12, 2012, Notice, 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 September 28, 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
Senior Project Manager, Licensing Branch 4
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
Mail Stop T-6 D-23
Washington, DC 20555-0001
(301) 415-3863
Manny.Comar@nrc.gov

Executed in Rockville, MD
this 11th day of October, 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 the NRC Staff's Hearing File Update 18 has been filed through the E-Filing system this 11th day of October 2012.

/Signed (electronically) by/
Richard S. Harper
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-15 D21
Washington, DC 20555-0001
(301) 415-5236
Richard.Harper@nrc.gov