

March 7, 2013

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 no documents for inclusion on the log of documents withheld as containing proprietary information. Accordingly, no 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/
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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 23 – March 7, 2013**

	Accession Number	Document Date	Title\Decription
23-1	ML13022A102	01/16/2013	Proposed Turkey Point Units 6 and 7 - Response to NRC Request for Additional Information Letter No. 069 (eRAI 6918) - SRP Section 11.05 - Process & Effluent Radiological Monitoring Instrumentation and Sampling Systems.
23-2	ML13023A416	01/18/2013	Revised Response to NRC Request for Additional Information Letter No. 026 (eRAI 5653) Standard Review Plan Section 02.02.03 - Evaluation of Potential Accidents.
23-3	ML13031A047	01/28/2013	Turkey Point, Units 6 and 7 - Combined License Application Submittal 11 - Annual Update of the COL Application - Revision 4 - Administrative Corrections.
23-4	ML13064A049	01/30/2013	2013/01/30 Turkey Point COL Hearing - L-2012-036, COLA Rev 4 Roadmap
23-5	ML13064A050	01/31/2013	2013/01/31 Turkey Point COL Hearing - RE: L-2012-036, COLA Rev 4 Roadmap
23-6	ML13064A003	02/04/2013	2013/02/04 Turkey Point COL Hearing - FW: Call in number for Feb 1 teleconference
23-7	ML13064A039	02/04/2013	2013/02/04 Turkey Point COL Hearing - FW: NRC-FPL Public Meeting on Alternative Sites - 01FEB13 Applicant Participants
23-8	ML13064A004	02/04/2013	2013/02/04 Turkey Point COL Hearing - FW: NRC-FPL Public Meeting on Alternative Sites - 01FEB13 Applicant Participants
23-9	ML13064A052	02/04/2013	2013/02/04 Turkey Point COL Hearing - NRC-FPL Public Meeting on Alternative Sites - 01FEB13 Applicant Participants
23-10	ML13038A043	02/05/2013	Turkey Point, Units 6 and 7, Updated Response to NRC Request for Additional Information Letter No. 042 (eRAI 5997) RAI 13.03-17 (a & b) Standard Review Plan Section 13.03 - Emergency Planning.
23-11	ML13064A040	02/06/2013	2013/02/06 Turkey Point COL Hearing - L-2013-050 dated 06FEB13: Response to NRC RAI Letter 120830 (eRAI 6353 Rev. 2; 9.3.1-1) ESRP Section 9.3.1 - Alternative Site Selection Process
23-12	ML13064A044	02/06/2013	2013/02/06 Turkey Point COL Hearing - RE: L-2013-050 dated 06FEB13: Response to NRC RAI Letter 120830 (eRAI 6353 Rev. 2; 9.3.1-1) ESRP Section 9.3.1 - Alternative Site Selection Process
23-13	ML13039A018	02/06/2013	Turkey Point, Units 6 & 7, Response to NRC Request for Additional Information Letter 120830 (eRAI 6353 Rev. 2) Related to ESRP Section 9.3.1 - Alternative Site Selection.
23-14	ML13064A129	02/07/2013	2013/02/07 Turkey Point COL Hearing - meeting with Butch Burton and Mark Delligatti

	Accession Number	Document Date	Title\Decription
23-15	ML13064A130	02/08/2013	2013/02/08 Turkey Point COL Hearing - RE: meeting with Butch Burton and Mark Delligatti (public)
23-16	ML13064A133	02/12/2013	2013/02/12 Turkey Point COL Hearing - FPL Letter L-2013-054 Dated 12FEB13: Revised Schedule for Response to NRC RAI Letter 121114 (eRAI 6879) Alternative Site Selection
23-17	ML13064A139	02/12/2013	2013/02/12 Turkey Point COL Hearing - L-2013-055 RAI Ltr 68 eRAI 6916 Response_9.2.4-3- Potable & Sanitary Water
23-18	ML13044A570	02/12/2013	Proposed Turkey Point Units 6 and 7, Response to NRC Request for Additional Information Letter No. 58 (eRAI 6434) - Concerning Implementation of Fukushima Near-Term Task Force Recommendations.
23-19	ML13044A572	02/12/2013	Proposed 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.
23-20	ML13044A569	02/12/2013	Proposed Turkey Point Units 6 and 7, Revised Schedule for Response to NRC Request for Additional Information Letter 120830 (eRAI 6353 Rev. 2) Related to ESRP Section 9.3.1 Alternative Site Selection Process.
23-21	ML13044A571	02/12/2013	Turkey Point, Units 6 and 7, Response to NRC Request for Additional Information Letter No. 68 (eRAI 6916) - Related to SRP Section 09.02.04 Potable and Sanitary Water Systems.
23-22	ML13044A568	02/12/2013	Turkey Point, Units 6 and 7, Revised Schedule for Response to NRC Request for Additional Information Letter 121114 (eRAI 6879) Related to ESRP Section 9.3.1 Alternative Site Selection.
23-23	ML13044A567	02/12/2013	Turkey Point, Units 6 and 7, Status of Actions to Address NRC COLA Review Schedule Letter dated May 4, 2012.
23-24	ML13064A142	02/13/2013	2013/02/13 Turkey Point COL Hearing - RE: NRC/FPL PTN 6 & 7 COLA Weekly Call
23-25	ML13042A155	02/13/2013	Follow-Up Questions For Environmental Request For Additional Information 6353 Question 3 Draft Response Related To ESRP Section 9.3.1 Alternative Site Selection, For The Combined License Application Review For Turkey Point, Units 6 And 7.
23-26	ML13064A147	02/19/2013	2013/02/19 Turkey Point COL Hearing - REQUEST FOR ADDITIONAL INFORMATION LTR. No: 70 RELATED TO SRP: 13.01 MANAGEMENT & TECHNICAL SUPPORT FOR THE TURKEY POINT UNITS 6 AND 7 COMBINED LICENSE APPLICATION
23-27	ML13064A146	02/19/2013	2013/02/19 Turkey Point COL Hearing - Supplemental questions for RAI6353 Q3 on alt site selection (ML13042A155) (PUBLIC)
23-28	ML13050A642	02/19/2013	2013/02/19 Turkey Point RAI for SER - REQUEST FOR ADDITIONAL INFORMATION LTR. No: 70 RELATED TO SRP: 13.01.01 MANAGEMENT & TECHNICAL SUPPORT ORGANIZATION FOR THE TURKEY POINT UNITS 6 AND 7 COLA

	Accession Number	Document Date	Title\Decription
23-29	ML13064A148	02/20/2013	2013/02/20 Turkey Point COL Hearing - L-2013-046 - Submittal of the Revised Report on the Construction and Testing of Class V Exploratory Well EW-1 at Turkey Point Units 6 & 7
23-30	ML13057A293	02/20/2013	2013/02/20 Turkey Point COL Hearing - L-2013-074, RAI Ltr 68 eRAI 6432 revised response schedule for RAI 03.07.01-15
23-31	ML13052A795	02/20/2013	Turkey Point, Units 6 and 7, Response to NRC Request for Additional Information Letter No. 67 (eRAI 6915) - Related to SRP Section 14.02.02 Initial Plant Test Program.
23-32	ML13053A268	02/20/2013	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.
23-33	ML13058A050	02/25/2013	Proposed Turkey Point Units 6 and 7, Alternative Site Selection Process and Least Environmentally Damaging Practicable Alternatives.
23-34	ML13060A159	03/01/2013	Attachment A - Florida Power & Light Co's Answer Opposing Joint Intervenors' Motion for Leave to File New Contention re Siting & Environmental Impacts of Reclaimed Water Treatment Facility & Associated Pipelines.

March 7, 2013

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 February 21, 2013.

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
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Executed in Rockville, MD
this 7th day of March, 2013

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 23 has been filed through the E-Filing system this 7th day of March, 2013.

/Signed (electronically) by/
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