

July 1, 2013

Ronald M. Spritzer, Chair  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Anthony J. Baratta  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Randall J. Charbeneau  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

In the Matter of  
Detroit Edison Co.  
Docket No. 52-033-COL  
(Fermi Nuclear Power Plant, Unit 3)

Dear Administrative Judges:

Pursuant to the Board's Order dated September 11, 2009, 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 item so as to make the item 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 "Fermi Hearing File." Also attached, as required by 10 C.F.R. § 2.336(c), is the Affidavit of Michael Eudy.

In accordance with the Licensing Board's September 11, 2009, Order, relieving all parties from the obligation of producing privilege logs, as 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. In accordance with the September 11 Order, the Staff shall produce a log of documents withheld as containing proprietary information. However, no such documents have been identified at this time. As directed by the Licensing Board, the Staff shall preserve and maintain all privileged and/or otherwise protected documents during the pendency of this proceeding.

Respectfully submitted,

**/signed (electronically) by/**  
Kevin C. Roach  
Counsel for the NRC Staff

Enclosures: Attachment 1: Hearing File Index  
Affidavit of Michael Eudy

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
 )  
DETROIT EDISON CO. ) Docket No. 52-033  
 )  
 )  
(Fermi Nuclear Power Plant, Unit 3) )

CERTIFICATE OF SERVICE

I hereby certify that the NRC Staff letter dated July 1, 2013, providing notice of the availability of an update to the hearing file made pursuant to 10 C.F.R. § 2.336(d), with attachments, together with the affidavit of Michael Eudy, has been filed through the E-Filing system this 1st day of July 2013.

**/Signed (electronically) by/**  
Kevin C. Roach  
Counsel for NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, DC 20555-0001  
(301) 415-2779  
Kevin.Roach@nrc.gov

Dated at Rockville, Maryland  
This 1st day of July, 2013

**Attachment 1****Fermi COL Hearing File and Mandatory Disclosures  
Hearing File Index  
Update 44 – July 1, 2013**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title / Description</b>
44-1	ML13175A264	05/21/2013	Sargent & Lundy Report, SL-011863, Rev. 0, "Modified Subtraction Method (MSM) Firewater Service Complex Benchmark Summary Report."
44-2	ML13176A206	05/30/2013	2013/05/30 Fermi COL - FW: Condensate question
44-3	ML13176A200	05/30/2013	2013/05/30 Fermi COL - FW: Participants in today's call
44-4	ML13176A179	05/30/2013	2013/05/30 Fermi COL - RE: Condensate question
44-5	ML13150A190	05/31/2013	6/13/13 - Notice of Forthcoming Meeting To Discuss Open Items And Outstanding Requests For Additional Information Responses Relating To The Detroit Edison Combined License Application For Fermi Unit 3.
44-6	ML13176A181	06/03/2013	2013/06/03 Fermi COL - 6/6 Public meeting
44-7	ML13176A182	06/03/2013	2013/06/03 Fermi COL - FW: 6/6 Public meeting
44-8	ML13176A199	06/04/2013	2013/06/04 Fermi COL - Fermi 5/30/13 Open Items Call Summary
44-9	ML13176A185	06/04/2013	2013/06/04 Fermi COL - FW: Courtesy Copy of NRC3-13-0019
44-10	ML13176A183	06/04/2013	2013/06/04 Fermi COL - RE: Request for Phone & Code for June 5, 2013 Fermi 3 Open Items Mtg
44-11	ML13176A198	06/04/2013	2013/06/04 Fermi COL - RE: Request for phone and code #'s Fermi 3 Open Items Mtg June 13, 2013
44-12	ML13157A023	06/04/2013	DTE Electric Company Submittal of Licensing Basis SSI Analysis Report.
44-13	ML13156A024	06/05/2013	ESBWR Design Certification Steam Dryer Request for Additional Information - Handout for June 6, 2013.
44-14	ML13149A515	06/05/2013	Regulatory Audit Summary For the Review of DTE Electric Company's SASSI2010 Verification And Validation Documentation For Fermi 3.
44-15	ML13158A288	06/06/2013	Agenda: Meeting with General Electric-Hitachi Nuclear Energy on Economic Simplified Boiling-Water Reactor Design Certification And DTE Electric Company On Fermi Unit 3 Combined License.
44-16	ML13130A129	06/06/2013	Fermi Nuclear Power Plant, Unit 3 Combined License Application Review Schedule.

44-17	ML13161A234	06/10/2013	6/27/13 - Notice of Forthcoming Meeting To Discuss Open Items And Outstanding Requests For Additional Information Responses Relating To The DTE Electric Company's Combined License Application For Fermi Unit 3.
44-18	ML13175A263	06/10/2013	Sargent & Lundy SL-011874, Rev. 0, "Modified Subtraction Method (MSM) Control Building Benchmark Summary Report,' Revision 0, dated June 10, 2013.
44-19	ML13176A187	06/12/2013	2013/06/12 Fermi COL - Fermi 3 - Open Items Public Meeting Summary - Memo To File
44-20	ML13176A189	06/12/2013	2013/06/12 Fermi COL - REVISED: Fermi 3 - Open Items Public Meeting Summary - Memo To File
44-21	ML13176A191	06/13/2013	2013/06/13 Fermi COL - FW: 6/13/13 Open Item Call - Participants
44-22	ML13176A194	06/13/2013	2013/06/13 Fermi COL - FW: 6/6 Public meeting
44-23	ML13176A192	06/13/2013	2013/06/13 Fermi COL - FW: Courtesy Copy of NRC3-13-0019
44-24	ML13176A193	06/13/2013	2013/06/13 Fermi COL - FW: List of Participants
44-25	ML13168A448	06/17/2013	Staff Letter Concerning Safety Review Schedule, in the Matter of DTE Electric Co. (Fermi Nuclear Power Plant, Unit 3).
44-26	ML13175A262	06/19/2013	Fermi, Unit 3, Submittal of FWSC and CB MSM Benchmark Summary Reports.
44-27	ML13176A196	06/21/2013	2013/06/21 Fermi COL - FERMI Draft Chp 1 RAI

July 1, 2013

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
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DETROIT EDISON CO. ) Docket No. 52-033-COL  
 )  
(Fermi Nuclear Power Plant, Unit 3) )

AFFIDAVIT OF TEKIA GOVAN CONCERNING  
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. § 2.336(d)

I, Michael 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 a project manager for the NRC's review of the Combined License application submitted by Detroit Edison Co., 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(d) in the captioned proceeding have been disclosed and that the disclosures are accurate and complete as of June 21, 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 Eudy  
Project Manager, Licensing Branch 3  
Division of New Reactor Licensing  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D42  
Washington, DC 20555-0001  
(301) 415-3104  
Michael.Eudy@nrc.gov

Executed in Rockville, MD  
this 1st day of July, 2013