

August 8, 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 the documents listed in the attached privilege log (Attachment 2) as potentially containing proprietary information. 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/
Robert M. Weisman
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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 28 – August 8, 2013**

	Accession Number	Document Date	Title\Description
28-1	ML13196A064	07/08/2013	Response to NRC Request for Additional Information Letter 121114 (eRAI 6879) Related to ESRP Section 9.3.1 Alternative Site Selection.
28-2	ML13196A063	07/08/2013	Turkey Point, Units 6 and 7, Response to NRC Request for Additional Information Letter 120830 (eRAI 6353 Rev. 2) Related to ESRP Section 9.3.1 - Alternative Site Selection.
28-3	ML13218A691	07/10/2013	2013/07/10 Turkey Point COL Hearing - Draft RAI 7129 related to SRP Section 10.04.05- Circulating Water System for the Turkey Point Units 6 and 7 combined license application
28-4	ML13193A206	07/23/2013	07/11/2013-Cancelled Notice of Forthcoming Public Teleconference to Discuss AP1000 Design Center Combined License Review Issues.
28-5	ML13218A713	07/23/2013	2013/07/23 Turkey Point COL Hearing - RAI LETTER NO.078 RELATED TO SRP SECTION 10.04.05 CIRCULATING WATER SYSTEMS FOR THE TURKEY POINT NUCLEAR PLANT UNITS 6 AND 7 COMBINED
28-6	ML13074A087	07/23/2013	Applicant Letter - Turkey Point, Units 6 and 7, Chapter 15, "Accident Analysis."
28-7	ML13205A225	07/24/2013	08/08/2013 - Notice of Forthcoming Public Teleconference To Discuss AP1000 Design Center Combined License Review Issues.
28-8	ML13205A252	07/24/2013	08/22/2013 - Notice of Forthcoming Public Teleconference To Discuss AP1000 Design Center Combined License Review Issues.
28-9	ML13074A125	07/24/2013	Applicant Letter - Turkey Point Units 6 and 7 - ASE Without Open Items For Chapter 17, "Quality Assurance."
28-10	ML13101A081	07/24/2013	Letter To Applicant: Turkey Point, Units 6 & 7, ASE without Open Items for Chapter 18, "Human Factors Engineering."
28-11	ML13206A421	07/24/2013	Turkey Point, Units 6 & 7, Schedule for Response to NRC Request for Additional Information Letter No. 073 (eRAI 7097) Related to SRP Section 11.02 - Liquid Waste Management Systems.

	Accession Number	Document Date	Title\Decription
28-12	ML13206A420	07/24/2013	Turkey Point, Units 6 & 7, Schedule for Response to NRC Request for Additional Information Letter No. 074 (eRAI 7103) Related to SRP Section 11.02 - Process and Radiological Monitoring Instrumentation and Sampling Systems.
28-13	ML13218A761	07/29/2013	2013/07/29 Turkey Point COL Hearing - RAI LETTER NO.076 RELATED TO SRP SECTION 11.04 SOLID WASTE MANAGEMENT SYSTEMS FOR THE TURKEY POINT NUCLEAR PLANT UNITS 6 AND 7 COMBINED
28-14	ML13218A738	07/29/2013	2013/07/29 Turkey Point COL Hearing - RAI LETTER NO.077 RELATED TO SRP SECTION 11.03 GASEOUS WASTE SYSTEMS FOR THE TURKEY POINT NUCLEAR PLANT UNITS 6 AND 7 COMBINED
28-15	ML13210A400	07/29/2013	2013/07/29 Turkey Point RAI for SER - RAI LETTER NO.077 RELATED TO SRP SECTION 11.03 GASEOUS WASTE MANAGEMENT SYSTEMS FOR THE TURKEY POINT NUCLEAR PLANT UNITS 6 AND 7 COMBINED
28-16	ML13218A765	07/30/2013	2013/07/30 Turkey Point COL Hearing - FW: NRC/FPL FSAR Chapter 11, eRAI 6985, suggested Meeting Agenda - Additional details
28-17	ML13218A770	07/30/2013	2013/07/30 Turkey Point COL Hearing - FW: NRC/FPL FSAR Chapter 11, eRAI 6985, suggested Meeting Agenda - Additional details
28-18	ML13218A774	07/30/2013	2013/07/30 Turkey Point COL Hearing - FW: NRC/FPL FSAR Chapter 11, eRAI 6985, suggested Meeting Agenda
28-19	ML13218A795	07/30/2013	2013/07/30 Turkey Point COL Hearing - FW: Turkey Point Units 6 & 7 2013 Supplemental Boring Schedule
28-20	ML13212A024	07/31/2013	08/13/2013 Notice of Forthcoming Public Meeting with AP1000 Design Center Applicants and Licensees to Discuss Levy Unit 1 and 2 Combined License Application Passive Core Cooling System Condensate Return Exemption Request and Departure from the AP1000.
28-21	ML13214A037	07/31/2013	Turkey Point Units 6 & 7 - Response to NRC Request for Additional Information Letter No. 074 (eRAI 7103) - SRP Section 11.02 - Process and Radiological Monitoring Instrumentation & Sampling Systems.
28-22	ML13214A038	07/31/2013	Turkey Point, Units 6 and 7, Response to NRC Request for Additional Information Letter No. 073 (eRAI 7097), SRP Section 11.02 - Liquid Waste Management Systems.

	Accession Number	Document Date	Title\Decription
28-23	ML13218A799	08/05/2013	2013/08/05 Turkey Point COL Hearing - MOA
28-24	ML13218A636	08/06/2013	2013/08/06 Turkey Point COL Hearing - FW: Memorandum of Agreement for Environmental Review Related To The Issuance of Authorizations To Build And Operate Turkey Point
28-25	ML13196A064	07/08/2013	Response to NRC Request for Additional Information Letter 121114 (eRAI 6879) Related to ESRP Section 9.3.1 Alternative Site Selection.

Attachment 2**Turkey Point COL Hearing File and Mandatory Disclosures
Privilege Log -- Proprietary Information
Update 28 – August 8, 2013**

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.

PDP No.	Accession Number	Author Name/ Affiliation	Title/Description	Document Date	Document Type	Addressee/ Addressee Affiliation	Comment	Pages
28-01	ML12262A193	M. Comar NRC/NRO	Turkey Point Nuclear Power Plant, Units 6 and 7, Chapter 15, "Accident Analysis."	7/23/13	SER	NRC/NRO	Proprietary	26
28-02	ML12262A238	M. Comar NRC/NRO	Turkey Point Nuclear Power Plant, Units 6 and 7, Chapter 17, "Quality Assurance."	7/24/13	SER	NRC/NRO	Proprietary	38
28-03	ML12262A247	M. Comar NRC/NRO	Turkey Point Nuclear Power Plant, Units 6 and 7, Chapter 18, "Human Factors Engineering."	7/24/13	SER	NRC/NRO	Proprietary	24

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 (“NRO”). 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, and the 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 this proceeding have been disclosed and that the disclosures are accurate and complete as of July 31, 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
Division of New Reactor Licensing, NRO, NRC
Mail Stop T-6 D-23
Washington, DC 20555-0001
(301) 415-3863
Manny.Comar@nrc.gov

Executed in Rockville, MD
this 8th day of August, 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 28 has been filed through the E-Filing system this 8th day of August, 2013.

/Signed (electronically) by/
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