

February 3, 2014

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, 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 Adrian Muñiz.

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/
Marcia Carpentier
Counsel for the NRC Staff

Enclosures: Attachment 1: Hearing File Index
Affidavit of Adrian Muñiz

Attachment 1

**Fermi COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 51 – February 3, 2014**

	Accession Number	Document Date	Title / Description
51-1	ML13360A177	12/10/2013	SL-012018, Rev. 1, "Evaluation of Reactor Building/Fuel Building and Control Building Dynamic Bearing Capacity, Foundation Stability, and Wall Seismic Soil Pressures Summary Report." Fermi 3 - ESBWR, Attachment 18 to NRC3-13-0036.
51-2	ML13360A176	12/10/2013	SL-011956, Rev. 1, "SSI Analysis of Reactor Building/Fuel Building and Control Building with Engineered Backfill Summary Report." Fermi 3 - ESBWR, Attachment 17 to NRC3-13-0036.
51-3	ML13354B536	12/13/2013	Fermi 3, DTE Electric Company Submittal of Responses to NRC SSI Audit Action Items and Supplemental Responses to NRC RAI Letter 70 and Letter 79, Attachments 1-15.
51-4	ML13354B539	12/13/2013	Fermi 3, DTE Electric Company Submittal of Responses to NRC SSI Audit Action Items and Supplemental Responses to NRC RAI Letter 70 and Letter 79, Attachment 16.
51-5	ML13354B532	12/13/2013	Fermi 3, DTE Electric Company Submittal of Responses to NRC SSI Audit Action Items and Supplemental Responses to NRC RAI Letter 70 and Letter 79.
51-6	ML13353A497	12/17/2013	DTE Electric Company Submittal of Fermi 3 COLA Markups for Implementation of ESBWR DCD, Revision 10.
51-7	ML14022A157	12/20/2013	2013/12/20 Fermi COL - RE: COLA Rev 6 submittal guidance
51-8	ML14007A397	01/07/2014	Limited Appearance Statement from Rosemarie Doyle Regarding the Combined License Application for Fermi, Unit 3.
51-9	ML14007A660	01/07/2014	Limited Appearance Statement from Unknown Individual Regarding the Combined License Application for Fermi, Unit 3.
51-10	ML14006A072	01/07/2014	01/23/14 - 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.
51-11	ML14022A160	01/09/2014	2014/01/09 Fermi COL - FW: Draft RAI for Fermi COL related to 10 CFR Part 37
51-12	ML14022A165	01/16/2014	2014/01/16 Fermi COL - FW: Draft RAI for Fermi COL related to 10 CFR Part 37
51-13	ML14008A418	01/16/2014	12/17/13- Summary of Meeting Between The U.S. Nuclear Regulatory Commission Staff, General Electric Hitachi Nuclear Energy, DTE Electric Company and Dominion Virginia Power To Discuss The Program Status of the Simplified Boiling Water Reactor.

	Accession Number	Document Date	Title / Description
51-14	ML14016A059	01/16/2014	Request for Additional Information Letter No. 89 Related to Chapter 13 for Fermi 3 Combined License Application.

February 3, 2014

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-COL
)
(Fermi Nuclear Power Plant, Unit 3))

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

I, Adrian Muñiz, 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 January 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)

Adrian Muñiz
Project Manager, Licensing Branch 3
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
Mail Stop T6-D42
Washington, DC 20555-0001
(301) 415-4093
Adrian.Muniz@nrc.gov

Executed in Rockville, MD
this 3rd day of February, 2014

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
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(Fermi Nuclear Power Plant, Unit 3))

CERTIFICATE OF SERVICE

I hereby certify that the NRC Staff letter dated February 3, 2014, 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 Adrian Muñiz, has been filed through the E-Filing system this 3rd day of February, 2014.

/Signed (electronically) by/
Marcia Carpentier
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-15 D21
Washington, DC 20555-0001
(301) 415-4126
Marcia.Carpentier@nrc.gov

Dated at Rockville, Maryland
This 3rd day of February, 2014