

June 2, 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](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 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. 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  
Attachment 2: Proprietary Log  
Affidavit of Adrian Muñiz

**Attachment 1**

**Fermi COL Hearing File and Mandatory Disclosures  
Hearing File Index  
Update 55 – June 2, 2014**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title / Description</b>
55-1	ML14028A526	04/22/2014	Fourth Federal Register Notification RE: Availability of Combined License Application For Fermi, Unit 3.
55-2	ML14112A492	04/23/2014	Fermi, Unit 3, Combined License Application - Advanced Final Safety Evaluation With No Open Items for Chapter 20, "Fukushima Near-Term Task Force Recommendations."
55-3	ML14112A487	04/23/2014	Letter - Fermi Unit 3 Combined License Application - Advanced Final Safety Evaluation For Chapter 20, "Fukushima Near-Term Task Force Recommendations."
55-4	ML14097A323	04/24/2014	Letter - Withdrawal of Request for Additional Information Letter Number 89 Related to Chapter 13 for the Fermi 3 Combined License Application.
55-5	ML14101A058	04/25/2014	Fermi, Unit 3, Combined License Application - Advanced Final Safety Evaluation With No Open Items for Chapter 20, "Fukushima Near-Term Task Force Recommendations."
55-6	ML14139A139	04/25/2014	2014/04/25 Fermi COL - FW: Fermi Chapter 20 PROP determination
55-7	ML14112A212	04/28/2014	Audit Summary for Fermi, Unit 3, Combined License Application Regarding Geology, Seismology, and Geotechnical Engineering.
55-8	ML14121A371	04/30/2014	Fermi 3, DTE Electric Company Supplemental Response to NRC Request for Additional Information Letter Number 89.
55-9	ML14139A141	05/01/2014	2014/05/01 Fermi COL - RE: Fermi 3
55-10	ML14139A143	05/01/2014	2014/05/01 Fermi COL - RE: Upcoming Fermi 3 discussion
55-11	ML14051A444	05/01/2014	Fermi, Unit 3, Combined License Application, Advanced Final Safety Evaluation for Chapter 8, Section 8.2, Offsite Power System.
55-12	ML14139A144	05/01/2014	2014/05/01 Fermi COL - RE: Fermi 3 Open Items Mfg 5/8/2014 Request for Phone & Code #s
55-13	ML14139A146	05/05/2014	2014/05/05 Fermi COL - RE: DTE Fermi 3 Call 5-8
55-14	ML14139A145	05/05/2014	2014/05/05 Fermi COL - RE: NRC/DTE Teleconference - May 8
55-15	ML14051A415	05/08/2014	Fermi, Unit 3, Chapter 8 Section 8 2 SER.
55-16	ML14129A360	05/08/2014	DTE Electric Co., Submittal of COLA Markups Associated with Inspections, Tests, Analyses, and Acceptance Criteria for the Fermi 3 Turbine Building, Radwaste Building, Service Building, and Ancillary Diesel Building.

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title / Description</b>
55-17	ML14051A446	05/08/2014	Fermi, Unit 3 Combined License Application, Advanced Final Safety For Chapter 8, Section 8.2 "Offsite Power System."
55-18	ML14140A531	05/09/2014	2014/05/09 Fermi COL - Fermi 3 - Open Items Public Meeting Summary - Memo To File
55-19	ML14140A534	05/09/2014	2014/05/09 Fermi COL - FW: Open Items call
55-20	ML14134A129	05/14/2014	Fermi, Unit 3 Combined License Application - Advanced Final Safety Evaluation For Chapter 2.5 "Geology, Seismology And Geotechnical Engineering."
55-21	ML14140A537	05/14/2014	2014/05/14 Fermi COL - RE: Detroit Edison name change
55-22	ML14135A242	05/16/2014	Memo - Fermi 3 Combined License Application Advanced Final Safety Evaluation With No Open Items for Section 13.6A "ITAC for Physical Security".
55-23	ML14135A170	05/16/2014	Memo - Fermi Unit 3 Combined License Application Advanced Final Safety Evaluation For Section 13.6 "Physical Security."
55-24	ML14134A128	05/16/2014	Memo -Fermi 3, Combined License Application Advanced Final Safety Evaluation With No Open Items For Chapter 2.5, "Geology, Seismology, Geotechnical Engineering".
55-25	ML14135A169	05/19/2014	Fermi, Unit 3 Combined License Application Advanced Final Safety Evaluation For Section 13. 6, "Physical Security."
55-26	ML14135A241	05/19/2014	Fermi, Unit 3 Combined License Application Advanced Final Safety Evaluation For Section 13.6A, "ITAAC For Physical Security."
55-27	ML14139A133	05/19/2014	2014/05/19 Fermi COL - FW: Fermi Chapter 20 PROP determination
55-28	ML14140A546	05/20/2014	2014/05/20 Fermi COL - FW: [WARNING: MESSAGE ENCRYPTED]Re: Fermi Chp 8, Sec. 8.2 updated for BL 2012-01 completion, check requested for proprietary items
55-29	ML14140A561	05/20/2014	2014/05/20 Fermi COL - FW: Fermi Chp 8, Sec. 8.2 updated for BL 2012-01 completion, check requested for proprietary items

**Attachment 2****Fermi COL Hearing File and Mandatory Disclosures  
Privilege Log – Proprietary Information  
Update 55 – June 2, 2014**

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.

	<b>Accession Number</b>	<b>Author Name/ Affiliation:</b>	<b>Title/Description</b>	<b>Document Date</b>	<b>Document Type</b>	<b>Addressee / Addressee Affiliation</b>	<b>Comment</b>	<b>Pages</b>
55-1	ML12340A283	NRC/NRO	Fermi 3, Safety Evaluation Report, 13.6, Phase 2.	05/19/2014	NRO Safety Evaluation Report (SER)- Delayed	NRC/NRO		60
55-2	ML14101A118	NRC/NRO	Fermi SER ITAAC 13 6A	05/19/2014	Draft Safety Evaluation Report (DSER)	NRC/NRO		18

June 2, 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 May 20, 2014.

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 2<sup>nd</sup> day of June, 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  
 )  
 )  
(Fermi Nuclear Power Plant, Unit 3) )

CERTIFICATE OF SERVICE

I hereby certify that the NRC Staff letter dated June 2, 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 2<sup>nd</sup> day of June, 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 2<sup>nd</sup> day of June, 2014