UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

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

NRC STAFF RESPONSES TO COMMISSION ADDITIONAL PRE-HEARING QUESTIONS, PROPOSED CORRECTIONS TO DRAFT COL, AND UPDATED EXHIBIT TABLE

Pursuant to the Commission's Order (Transmitting Additional Pre-Hearing Questions) issued January 16, 2015, the staff of the Nuclear Regulatory Commission (Staff) hereby responds to the questions posed in that Order. These questions pertain to subjects related to the Staff's final environmental impact statement[1] for the proposed Fermi 3 project. The Commission's Order directed fifteen questions to the Staff and one to DTE Electric Co. Attachment A to this filing presents the Staff's responses.

The Staff has also identified two administrative errors in the draft combined license (COL) (NRC000002). Attachment B to this filing identifies those errors and the proposed corrections. If the Commission approves the license and these corrections, the Staff would make the indicated modifications to the Fermi 3 COL prior to issuance of the license, according to the process for making certain clarifying COL modifications already proposed in the NRC Staff Responses to Commission Questions (NRC000004).

[1] NUREG-2105, Environmental Impact Statement for the Combined License (COL) for Enrico Fermi Unit 3; Final Report (Jan. 18, 2013) (NRC000010A-D).

Attachment C to this filing is an updated table of Staff exhibits for the mandatory hearing, according to the Commission Scheduling Order dated January 21, 2015.

/Signed (electronically) by/
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Dated at Jersey City, New Jersey
This 30th day of January, 2015

Attachment A

Staff Responses to Commission Additional Pre-Hearing Questions

NRC STAFF RESPONSES TO COMMISSION ADDITIONAL PRE-HEARING QUESTIONS

1. To what extent did the Staff consider the impacts of preconstruction activities, such as the transmission-line corridor, in weighing the costs and benefits of the proposed action in chapter 10 of the Final Environmental Impact Statement (FEIS)?

Staff Response: The staff's benefit-cost analysis in Section 10.6 of the FEIS did encompass the impacts from preconstruction activities described in the earlier chapters of the EIS, including the discussion of transmission line impacts from preconstruction, operations, and maintenance activities (in particular, impacts to land use and ecology), as indicated in Table 10-4. Therefore, the impacts of the transmission lines were considered in the cost-benefit balancing. The purpose of the comparison of costs and benefits is to provide the Commission with the best possible information about the environmental consequences of the proposed project. As stated in the responses to prehearing Questions 52 and 53, the primary benefit of a nuclear power generating facility is the power itself, as described in SECY-02-0175, "Denial of Petition for Rulemaking to Eliminate Review of Alternative Sites, Alternative Energy Sources and Need for Power Reactor Siting and Licensing Reviews (PRM-52-2)." Chapter 8 of the FEIS demonstrates the need for power in the region of interest and thereby establishes the primary benefit of the proposed project, which is discussed in Section 10.6 of the FEIS. Based on its assessment that the potential societal benefits of the proposed expansion of Fermi generating capacity are substantial and that the external socioeconomic and environmental costs imposed on the region appear to be relatively small, the staff concluded in Section 10.6.3 that the benefits of the proposed action most likely would outweigh the costs.

2. Has the NRC adopted 40 C.F.R. § 1502.22 of the Council on Environmental Quality's regulations?

Staff Response: No. The NRC has indicated that it will voluntarily follow certain Council on Environmental Quality (CEQ) provisions concerning definitions and procedures by including them in 10 CFR 51, but that does not include 40 CFR 1502.22. *See, e.g.*, 10 CFR 51.10(b) and 51.14(b). However, the NRC does view CEQ regulations as informing its environmental reviews. As the Commission has stated, although "[w]e look to CEQ regulations for guidance, including section 1502.22[,]…our longstanding policy is that the NRC, as an independent regulatory agency, 'is not bound by those portions of CEQ's NEPA regulations' that, like section 1502.22, 'have a substantive impact on the way in which the Commission performs its regulatory functions.'" *Pacific Gas and Electric Co.* (Diablo Canyon Nuclear Power Plant, Units 1 and 2), CLI-11-11, 74 NRC 427, 443-44 (2011).

3. Describe how the NRC has typically evaluated uncertainties with respect to environmental impacts in Environmental Impact Statements (EIS).

Staff Response: In its EISs, the NRC staff evaluates uncertainties in environmental impacts in light of National Environmental Policy Act (NEPA) statutory and case law, NRC regulations, Commission direction, and applicable guidance. In particular, for example, 10 CFR 51.71(d) provides that, in a draft EIS, "to the extent that there are important qualitative considerations or factors that cannot be quantified, these considerations or factors will be discussed in qualitative terms." The Commission has stated that an EIS may include estimates or assumptions so long as it discloses areas where there is incomplete or unavailable information and to what extent uncertainty may affect conclusions. *See Entergy Nuclear Generation Co.* (Pilgrim Nuclear Power Station), CLI-10-22, 72 NRC 202, 208-09 (2010). Examples of relevant guidance are CEQ regulation 40 CFR 1502.22 (as discussed in the response to Question 2 above) and

Section 4.1.2 of NUREG-1555, which provides that "[i]n some cases transmission lines may be constructed and operated by an entity other than the applicant. In such cases, impact information may be limited and the reviewer should proceed with the assessment using the information that can be obtained."

There are uncertainties associated with the prediction of any of the impacts in an EIS. The level of uncertainty, however, will vary. For example, the level of information that is available for the impacts of building and operating the proposed nuclear power plant – activities that would primarily be planned and implemented by the COL applicant itself – generally leads to smaller uncertainties. For activities that would be carried out by an entity other than the COL applicant (e.g., the transmission company), the uncertainties are typically greater. For example, complete plans for transmission line development may not exist at the time of the COL application, as they may depend on third-party business decisions, which may in turn depend on whether a COL is issued and when the applicant would seek to commence construction and operation; consequently, applications for those activities may not even be before the applicable regulatory authorities.

The NRC staff addresses uncertainties by obtaining and evaluating the best available information, disclosing uncertainties, and using reasonable assumptions to take a "hard look" at reasonably foreseeable impacts. For example, when it evaluates the socioeconomic impacts associated with construction and operations workers for a new plant, the NRC staff must make assumptions about where these workers will live and how they will commute to the site. Neither the NRC staff nor the applicant can know this information with certainty. Typically the staff will use a surrogate (e.g., domicile locations and commuting information for an existing plant) to reasonably estimate the socioeconomic impacts caused by the workers.

In another example, when the staff considers energy alternatives, it must estimate what energy alternatives are likely to be built in the region over roughly the next 10 years. The staff cannot be certain what will be built. But it typically uses information from authoritative sources, such as utility integrated resource plans, State energy plans, and data from the U.S. Department of Energy, Energy Information Administration, to estimate future growth for various energy sources. Using this best available information allows the staff to perform a reasonable estimate of future growth, while accounting for inherent uncertainties.

In some cases, the source of the uncertainty can be associated with whether certain actions will be implemented. For example, in the Fermi 3 FEIS the staff concluded that impacts to the eastern fox snake, a species listed by the State of Michigan as threatened, may be SMALL to MODERATE, with the lesser impacts occurring if effective mitigation is carried out. The staff explained why mitigation was likely and that it was reasonable to expect SMALL impacts, but because of uncertainties associated with the mitigation measures discussed in the FEIS (for example, that a relevant permit concerning the species is not issued by the State of Michigan until closer to the commencement of construction), the staff explained why MODERATE impacts are possible. The basis for this range is discussed in Section 4.3.1 of the Fermi 3 FEIS.

Uncertainty may also arise if available information is inconsistent. For example, when reviewing meteorological data to analyze atmospheric dispersion, the NRC noted discrepancies in wind speed and stability class frequency distributions between the 1985-1989 and 2002-2007 datasets. FEIS at 2-230. Based on the uncertainty in the data, the staff performed short-term and long-term dispersion estimate evaluations using both datasets and used the more conservative dispersion estimates that resulted. In sum, the staff identified the existing

uncertainty regarding the available information and applied reasonable methods to reconcile it in order to conduct a meaningful analysis.

A consistent approach was used by the staff to evaluate the impacts of any transmission lines that the staff expects would be built if Fermi 3 is built. The staff used the best available information regarding a likely route for the lines and the impacts that would result from building and operating the lines along that route. The staff also disclosed where there was uncertainty because the transmission lines would be built and operated by an entity other than DTE and because that entity (ITC*Transmission*) has not yet announced specific plans publicly:

> The existing 345-kilovolt (kV) transmission system and associated corridors outside the Fermi site are exclusively owned and operated by ITC*Transmission*. Any new transmission lines built outside of the Fermi site to serve Fermi 3 would also be owned and operated by ITC*Transmission*. Detroit Edison has no control over the design or operation of transmission lines off of its plant sites. Accordingly, the description presented here of the terrestrial resources that interface with the transmission line corridors is based on publicly available information and reasonable expectations of the configurations that ITC*Transmission* would likely use based on standard industry practice.

FEIS at 2-45.

4. What degree of uncertainty with respect to the potential impacts from the transmission corridor on terrestrial, aquatic, and historic resources would prohibit "informed decision making?"

Staff Response: It would be difficult to posit a situation in which there was so much uncertainty regarding the transmission line impacts that it would prohibit informed decision making. Applicants have been able to provide to the staff, at a minimum, a conceptual route or routes for the necessary transmission lines. In the staff's experience, the States use formal processes to site transmission lines, taking into account environmental values. Because of this, siting, construction, and operation plans for the lines typically will not involve LARGE impacts. In addition, the characteristics of transmission lines and corridors are well understood.

As long as the applicant can provide to the staff a conceptual route for the lines, the staff should be able to develop, in its FEIS, an evaluation of the environmental impacts associated with the lines that will be sufficient to support an informed decision. This typically provides sufficient context about the anticipated length and width of the corridor in order for the staff to assess the likely effects, including information about the current land use and the type of ecological resources (e.g., wetlands or other habitat) that could be affected. For the Fermi 3 FEIS, the staff was provided this information and was thus able to evaluate the reasonably foreseeable impacts of transmission lines and conclude that no obviously superior alternative to the proposed project exists.

5. [This question was directed solely to the applicant.]

6. With regard to the Staff's analysis of the proposed transmission-line corridor for Fermi Unit 3, would it be fair to characterize the discussion of transmission-corridor impacts as equivalent to a direct impacts analysis? Relatedly, is it fair to say that the Staff considered the impacts of developing the transmission-line corridor regardless

of whether they were considered "direct" or "cumulative" based on the best information available?

Staff Response: The staff's evaluation of reasonably foreseeable impacts in the conceptual transmission line corridor was methodologically consistent with the staff's evaluation of direct impacts on the Fermi site. In both cases the staff used the best information available and analyzed impacts in proportion to their significance, consistent with its NEPA practices. The information available about development activities in the conceptual corridor was less detailed than the information available for the proposed development at the Fermi site because DTE does not control the siting, building, or operation of transmission lines in Michigan. The separate entity that does control the development of the transmission corridor, ITC*Transmission*, has not announced where or when it would develop the corridor. Though elements of the staff's impact assessment for the transmission corridor were qualitative, some were quantitative. For example, the staff was able to quantify the likely terrestrial habitat encroachment (presented in Table 4-2 of the FEIS). The result is that the FEIS documents an adequately detailed evaluation of conceptual transmission line corridor impacts sufficient to satisfy the NEPA requirement to take a "hard look" at reasonably foreseeable environmental impacts.

7. **How were wetlands identified in the 10.8-mile undeveloped stretch of the transmission corridor (e.g., FEIS pages 2-61and 2-65)? Did either the United States Army Corps of Engineers (USACE) or the Michigan Department of Environmental Quality (MDEQ) conduct a field assessment? If so, what did they find? If not, why not?**

Staff Response: As indicated on pp. 2-61 to 2-65 of the FEIS, the staff relied on data published by the U.S .Fish and Wildlife Service (FWS) – national wetland inventory (NWI) maps - to identify the locations of wetlands on the conceptual transmission corridor. To date, the staff is not aware that any application for a permit has been submitted for the transmission line corridor. As stated on p. 2-65 of the FEIS, the staff determined that the 10.8 mile undeveloped stretch of the conceptual transmission corridor "crosses eight wetlands and nine drainages or narrow streams." This information supported the staff's assessment of wetland impacts from building the transmission lines, as described in Section 4.3.1 of the FEIS. The staff determined that the NWI data is the best available wetlands information and that it allowed for an evaluation of the impacts of building and operating the transmission lines adequate to support decision-making under NEPA. Neither the USACE nor the MDEQ conducted a field assessment of wetlands, nor would either agency likely do so until it receives an application for a wetlands permit from ITC*Transmission*. See the response to Question 9 for more information on the role of USACE and MDEQ with respect to wetlands in the conceptual transmission line corridor.

8. **Considering standard practices, about how often would the "periodic" vegetation removal (FEIS pages 3-32, 5-22, and 5- 42) occur along the transmission-line corridor? Is there any information that can be drawn from maintenance of the transmission corridor for Fermi Unit 2?**

Staff Response: For Fermi 2 and subsequent transmission corridors, ITC*Transmission* follows the standards set by the North American Electric Reliability Corporation for transmission corridor vegetation management. Those standards call for a vegetation inspection of 100 percent of the applicable transmission lines at least once per calendar year and with no more than 18 months between inspections on the same right of way (ML15028A091). Those inspections serve as the basis for identifying the need for periodic vegetation removal or management activities

9. When would either the USACE or MDEQ require surveys of the transmission-line corridor (FEIS page 2-126) to determine the presence of important species?

Staff Response: As the staff described on p 2-61 of the FEIS, "[p]rior to installation of the offsite transmission line, FWS and MDNR would need to review detailed information on the transmission line corridor. The agencies may, at that time, require surveys of the proposed transmission line corridor for the presence of important species and habitat." MDNR is the Michigan Department of Natural Resources, and it administers Michigan's threatened and endangered species program. Surveys required by these agencies would likely occur as part of the application process for building the transmission lines. USACE noted that regulatory authority over wetlands within the transmission-line corridor has been transferred to the State of Michigan as part of Michigan's authorization to administer the CWA Section 404 program throughout much of the State. Therefore, USACE would not conduct species surveys in these wetlands. If jurisdictional wetlands are present in the transmission corridor, MDEQ would include any applicable conditions related to State or Federally threatened or endangered species in its permit.

10. Would you expect the International Transmission Company (ITC*Transmission*) to use protective measures for tree clearing activities (FEIS pages 4-34, 4-35, and 4-44), considering the possible presence of the Indiana bat, a state and federally-listed endangered species?

Staff Response: In building and operating a transmission line, ITC*Transmission* would be required to follow both the Federal Endangered Species Act and the State counterpart law, the Michigan Natural Resources and Environmental Protection Act. The staff expects that ITC*Transmission*'s permit from MDNR or MDEQ, as applicable, would include requirements for protective measures for any Federal and State-listed threatened and endangered species that could be adversely affected by an activity conducted pursuant to the permit, including the Indiana bat.

11. Could any dewatering/fill activities associated with preconstruction or construction that occur onsite (FEIS pages 4-14 and 4-16) affect water levels in offsite wetlands, including those within the transmission corridor?

Staff Response: As staff described on p 4-20 of the FEIS, dewatering/fill activities would not be expected to affect on-site wetlands, and therefore would also not be expected to affect off-site wetlands, because the wetlands are hydraulically connected to Lake Erie. The water level of Lake Erie primarily maintains the water table of Lake Erie coastal wetlands both on- and off-site. Given the immense volume of water in this contiguous water system, the onsite fill activity would not be expected to induce any measurable change in the system's water level behavior and, thus, would not be expected to alter the water level of coastal wetlands in proximity to the Fermi site. The amount of groundwater to be removed during excavation activities would be minimized by the use of hydraulic barriers, and the associated short-term groundwater drawdown would not affect the water level of Lake Erie. Further, the hydrologic connectivity of area wetlands to groundwater is limited by low hydraulic conductivity of the sediment overlying the bedrock containing groundwater.

12. Please elaborate on the statement (e.g., FEIS page 4-45) that impacts on wetlands from transmission-corridor development could be "noticeable."

Staff Response: The statement is based on the estimation that approximately 93 acres of forested wetlands would be converted to emergent or scrub-shrub wetlands during development of the potential corridor. The extent of forested wetlands was based on FWS NWI data derived from interpretation of remotely sensed imagery, which the staff considered to be the best available information during the preparation of the FEIS. The staff determined that although a disturbance of approximately 93 acres could have effects on the local ecosystem that would be non-negligible (e.g., because conversion of those wetlands to other wetland types would eliminate some habitat and potentially displace plants and animals dependent on them), those effects would not be destabilizing in the context of the overall availability of wetlands, wildlife habitat, and terrestrial resources in the vicinity. In addition, the wetlands would be distributed over much of the approximately 29 mile-long transmission corridor, thereby limiting the extent of impacts within any one locality. Moreover, as the staff noted on 4-45 of the FEIS, "with the expected wetland mitigation…the review team expects these impacts to be minimal."

13. Please describe the process the Staff used to conduct the "field view" for historic and cultural resources in the transmission corridor (FEIS pages 2-208 and 2-209).

Staff Response: The "field view" was conducted by DTE's cultural resources contractor, not the staff. Based on the staff's review of information on p. 2-472 of DTE's ER (Revision 2, February 2011), DTE's field view evaluated "the transmission line route…for the existence of potentially significant above-ground resources. At that time, the transmission line study area was also visually inspected from existing roadways for evidence of obvious disturbance and the existence of landforms that are known to contain archaeological sites (e.g., sandy hummocks)." As described in the response to Question 6, the staff evaluates cumulative impacts, such as impacts in the transmission line corridor, using the best information available. DTE is responsible for, and controls, development at the Fermi site. Information that DTE provided for cultural resources within the study area for proposed development at the Fermi site (the direct and indirect areas of potential effect (APEs)) consisted of information for previously identified recorded cultural resources and also information resulting from archaeological and architectural surveys conducted within the APEs to identify any previously unidentified and unrecorded cultural resources. DTE would not be responsible for constructing the transmission lines and does not control development within the transmission corridor. Information that DTE provided on resources within the study area for the transmission line corridor was for previously identified and recorded cultural resources and did come from additional investigations to identify previously unidentified and unrecorded cultural resources. However, using the available information, the staff had sufficient information to conclude, on p. 7-33 of the FEIS, that "cumulative impacts on historic and cultural resources from preconstruction, construction, and operation…would be MODERATE. If activities related to offsite transmission lines and/or urbanization within the area of potential effects (APEs) would result in alterations to the cultural environment, then additional impacts could be realized."

14. Because the Staff conducted a National Environmental Policy Act (NEPA) review in lieu of a Section 106 analysis under the National Historic Preservation Act (NHPA), and because the USACE is a cooperating agency for the NEPA review, did the USACE perform a separate Section 106 analysis, or is it relying on the analysis in the FEIS? If it is the latter, then, given that the USACE treats "preconstruction impacts" as "direct impacts," should the Staff or the USACE have included the transmission corridor within the direct area of potential effects (APE) (e.g., FEIS pages 4-101 to 4-102) and consulted on adverse effects to properties within this portion of the APE?

Staff Response: The staff complied with NHPA through its NEPA process as provided in 36 CFR 800.8(c). The USACE determined, in consultation with the Michigan State Historic Preservation Officer (SHPO), that an independent USACE Section 106 analysis would be an unnecessary duplication of effort for its permit decision. While the NRC therefore conducted the Section 106 analysis as the lead Federal agency, it provided complete information to the USACE throughout the Section 106 review and analysis. The USACE fully participated in the NHPA analysis relative to its permit area, and it reviewed and agreed on the NRC's NHPA determination of effect.

As explained above in response to Question 7, there is currently no permitting action before either the NRC or the USACE that would authorize development within potential transmission line corridors. Thus, future transmission line construction and operation is not part of either agency's present "Federal undertaking" for NHPA purposes. This is acknowledged, for example, on page 4-102 of the FEIS: "According to 10 CFR 50.10(a)(2)(vii), transmission lines are not included in the definition of the construction and are not an NRC-authorized activity." Consequently, the transmission corridor was appropriately not included within the direct APE for the purpose of NHPA consultation. Nevertheless, as explained in the FEIS, in its NEPA analysis the staff considered a variety of potential impacts from transmission line corridors, including with respect to historic and cultural resources, as part of its analysis of cumulative impacts. In other words, the NEPA analysis appropriately addressed cumulative impacts from activities that were outside the scope of the Federal undertaking, which was the focus of the NHPA consultation.

If fill discharge activities in the wetlands or waterway crossings are eventually proposed in connection with an offsite transmission line route, those activities would be regulated under the Federal Section 404 program established by the Clean Water Act (CWA). These activities would typically be regulated through the USACE permit review process. However, in most areas of Michigan, the State has exercised the option, provided for in the CWA, of assuming the administration and enforcement of the Federal Section 404 program. Since USACE no longer processes Section 404 permits in waters under State jurisdiction (transferred waters), including the wetlands and waterway crossings associated with the offsite transmission line route, it has no responsibilities pursuant to Section 106 in these areas, including the establishment of an APE, determination of effect, or consultation. Further information regarding MDEQ's role associated with the transmission corridor is provided below in the response to Question 15.

15. The FEIS states (page 4-102) that ITC*Transmission* will construct and operate the transmission line and will have the responsibility of further identifying and evaluating the National Register of Historic Places (NRHP)-eligibility of cultural and historic resources. Compliance with the NHPA is a federal requirement, and a private company would not be responsible for complying with the NHPA unless directed to do so by a federal agency. Which federal agency would be involved in further NHPA consultation with ITC*Transmission*?

Staff Response: As explained above, pursuant to 10 CFR 50.10(a)(2)(vii), NRC approval is not required for the development of transmission lines, so such an activity would not be part of the NRC's "Federal undertaking" for purposes of NHPA. Therefore, the NRC would not be the Federal agency that would be involved in further NHPA consultation with ITC*Transmission*.

MDEQ, rather than the USACE, is responsible for administration of the CWA Section 404 program in most areas of Michigan, as noted in the response to Question 14 above. However, U.S. Environmental Protection Agency (EPA) regulations on State administration of Section 404

programs address treatment of cultural and historic resources that are proposed or identified under the NHPA.[1] For example, Section 3(g) of the EPA-MDEQ Agreement provides, in relevant part, that the USEPA, USACE, and FWS will review permit applications received by MDEQ for particular categories of discharges such as those "within critical areas established under state or federal law, including…sites identified or proposed under the National Historic Preservation Act." Under 40 CFR 233.50(f), EPA may object to issuance of a Section 404 permit or require that permit conditions be included prior to its issuance. Therefore, the staff expects that if or when ITC*Transmission* applies for a permit with MDEQ, any resources in the permit area that are identified or proposed under the NHPA would be appropriately considered under the applicable regulatory process.

16. Did the Michigan State Historic Preservation Officer (SHPO) concur with respect to the identification of historic or cultural resources within the offsite transmission corridor (e.g., FEIS page 4-100, referencing a May 9, 2011 letter)? If not, what was the view of the Michigan SHPO and how did the Staff take this view into account?

Staff Response: The May 9, 2011, (ML111590571), letter from the Michigan SHPO concurred with the NRC determination of adverse effects to Fermi 1. It did not address the offsite transmission corridor.

As stated in the response to Question 15, transmission lines were not part of the APE for NHPA purposes, because they are not part of either the NRC or USACE "Federal undertaking." Although the FEIS explained why transmission lines were not included in the APE, it did describe the cumulative impacts from the potential corridors to various resource areas, including historic and cultural resources. Consistent with NEPA and NHPA, in addition to interactions during the scoping period, the staff provided the draft EIS for review and comment to the Michigan SHPO. The FEIS was also sent to the Michigan SHPO once it was completed. The Michigan SHPO did not express any views on the offsite transmission corridor.

[1] In particular, see 40 CFR 233.51(b)) and Section 3(g) of the Memorandum of Agreement between EPA and MDEQ on Michigan's Section 404 program (ML15029A081) (accessed at: http://water.epa.gov/type/wetlands/initiative_index.cfm, January 29, 2015) ("EPA-MDEQ Agreement").

Attachment B

Staff Proposed Corrections to Draft COL

ATTACHMENT B

Staff Proposed Corrections to Draft COL

Page and COL Section	Text to be corrected	Proposed correction
Page 3 2.D(1)(a)	"preliminary acceptability review"	"preliminary amendment request"
Page 16 2.D(12)(i)(1)(ii)	"one hundred (180) days"	"one hundred eighty (180) days"

Attachment C
Staff Updated Table of Exhibits

ATTACHMENT C

Staff Exhibits for Fermi Mandatory Hearing

Exhibit Number	Panel Number/ Sponsoring Witness(es)	Document Description/Title
NRC000001	Frank Akstulewicz	SECY-14-0132, Staff Statement in Support of the Uncontested Hearing for Issuance of Combined License for the Fermi Nuclear Power Plant Unit 3 (Nov. 20, 2014), ADAMS Accession No. ML14282A639.
NRC000002	Frank Akstulewicz	Draft Combined License, Enrico Fermi Nuclear Plant Unit 3 (Dec. 4, 2014), ADAMS Accession No. ML14296A600.
NRC000003	Mark Delligatti	Draft Record of Decision, Combined License Application for Enrico Fermi Nuclear Plant Unit 3 (Dec. 5, 2014), ADAMS Accession No. ML14303A425.
NRC000004	Frank Akstulewicz & Mark Delligatti	NRC Staff Responses to Commission Prehearing Questions (Jan. 14, 2015), ADAMS Accession No. ML15014A507.
NRC000005	Frank Akstulewicz	**NON-PUBLIC – NRC Staff Responses to Non-Public Commission Prehearing Question (Jan. 14, 2015), ADAMS Accession No. ML15014A512.**
NRC000006A	Frank Akstulewicz	Fermi 3 COL Application – Part 1 and Part 2 (FSAR) through Chapter 2, Section 2.4 (March 2010 & October 2014), ADAMS Accession Nos. ML14308A337, ML101110278, & ML14309A431-ML14309A440.
NRC000006B	Frank Akstulewicz	Fermi 3 COL Application – Part 2 (FSAR), Chapter 2, Section 2.5.1 (October 2014), ADAMS Accession Nos. ML14309A441 & ML14309A442.
NRC000006C	Frank Akstulewicz	Fermi 3 COL Application – Part 2 (FSAR), Chapter 2, Sections 2.5.2 and 2.5.3 (October 2014), ADAMS Accession Nos. ML14309A443 & ML14309A444.
NRC000006D	Frank Akstulewicz	Fermi 3 COL Application – Part 2 (FSAR), Chapter 2, Sections 2.5.4 through Appendices (October 2014), ADAMS Accession Nos. ML14309A445-ML14309A455 & ML14309A457.
NRC000006E	Frank Akstulewicz	Fermi 3 COL Application – Part 2 (FSAR), Chapters 3-19 (October 2014), ADAMS Accession Nos. ML14309A458-ML14309A459 & ML14309A461-ML14309A477.
NRC000006F	Frank Akstulewicz	Fermi 3 COL Application – Part 3 (ER) through Chapter 2, Section 2.4 (February 2011), ADAMS Accession No. ML110600476-ML110600479, ML110600481, & ML110600483-ML110600485.
NRC000006G	Frank Akstulewicz	Fermi 3 COL Application – Part 3 (ER), Chapter 2, Section 2.5 through Chapter 4 (February 2011), ADAMS Accession Nos. ML110600486-ML110600489.

Exhibit Number	Panel Number/ Sponsoring Witness(es)	Document Description/Title
NRC000006H	Frank Akstulewicz	Fermi 3 COL Application – Part 3 (ER), Chapters 3-10 (February 2011), ADAMS Accession Nos. ML110600491-ML110600497.
NRC000006J[1]	Frank Akstulewicz	Fermi 3 COL Application – Parts 4, 5, 7, 8, 10, & NEI References[2] (various dates), ADAMS Accession Nos. ML14055A130, ML14295A167-ML14295A168, ML14295A170, ML14295A172-ML14295A174, ML12095A138, ML12095A140, ML14295A176, ML080910051, ML072710311, ML103410542, ML083380347, ML072780417, ML072600383, ML083380351, ML091050234, ML091460627, & ML111751698.
NRC000007A	Frank Akstulewicz	**NON-PUBLIC – Fermi 3 COL Application – Part 9 & Non-Public NEI Reference (February 2012 & July 2009), ADAMS Accession Nos. ML12095A142 & ML092120160.[3]**
NRC000008A	Frank Akstulewicz	Fermi 3 FSER, Chapters 1-10 and front matter (various dates), ADAMS Accession Nos. ML14287A676, ML14300A223, ML14300A376, ML14198A557, ML14246A385, ML14258B088, ML12306A280, ML14255A121, ML14183A622, ML13158A238, ML14192A986, ML14251A364, & ML13184A336.
NRC000008B	Frank Akstulewicz	Fermi 3 FSER, Chapters 11-20 and Appendices (various dates), ADAMS Accession Nos. ML13221A431, ML13358A219, ML14198A596, ML14197A260, ML12306A506, ML14196A296, ML13122A419, ML13162A357, ML14198A009, ML14238A661, ML14300A222, ML14302A567, ML14308A401, ML14279A181, ML14302A270, & ML14302A591.
NRC000009	Frank Akstulewicz	**NON-PUBLIC - Fermi 3 FSER, Chapter 19, Attachment 19.B (November 2014), ADAMS Accession No. ML14198A017.[4]**
NRC000010A	Mark Delligatti	NUREG-2105, Environmental Impact Statement for the Combined License (COL) for Enrico Fermi Unit 3, Vol. 1 (January 2013), ADAMS Accession No. ML12307A172.

[1] The letter "I" was skipped because of potential confusion with the number "1."

[2] Part 6 of COL applications is reserved for Limited Work Authorizations (LWAs). No LWA was requested for Fermi 3, so there is no Part 6 in the COL application. Part 9 of the COL application contains proprietary and sensitive information and is listed as a separate exhibit.

[3] The Fermi 3 COL application also contains safeguards information (SGI) that may not be placed in ADAMS or filed through the Electronic Information Exchange (EIE). Commissioners can obtain hard copies of the SGI portion of the application by contacting Judy Petrucelli or John Frost in the Office of Nuclear Security and Incident Response (NSIR).

[4] The Fermi 3 FSER also contains SGI that may not be placed in ADAMS or filed through the EIE. Commissioners can obtain hard copies of the SGI portion of the FSER by contacting Judy Petrucelli or John Frost in NSIR.

Exhibit Number	Panel Number/ Sponsoring Witness(es)	Document Description/Title
NRC000010B	Mark Delligatti	NUREG-2105, Environmental Impact Statement for the Combined License (COL) for Enrico Fermi Unit 3, Vol. 2 (January 2013), ADAMS Accession No. ML12307A176.
NRC000010C	Mark Delligatti	NUREG-2105, Environmental Impact Statement for the Combined License (COL) for Enrico Fermi Unit 3, Vol. 3 (January 2013), ADAMS Accession No. ML12307A177.
NRC000010D	Mark Delligatti	NUREG-2105, Environmental Impact Statement for the Combined License (COL) for Enrico Fermi Unit 3, Vol. 4 (January 2013), ADAMS Accession No. ML12347A202.
NRC000011	Frank Akstulewicz & Mark Delligatti	Staff Presentation Slides – Overview (Feb. 4, 2015).
NRC000012	Frank Akstulewicz	Staff Presentation Slides – Safety Panel 1 (Feb. 4, 2015).
NRC000013	Frank Akstulewicz	Staff Presentation Slides – Safety Panel 2 (Feb. 4, 2015).
NRC000014	Mark Delligatti	Staff Presentation Slides – Environmental Panel 1 (Feb. 4, 2015).
NRC000015	Mark Delligatti	Staff Presentation Slides – Environmental Panel 2 (Feb. 4, 2015).
NRC000016	Mark Delligatti	NRC Staff Responses to Commission Additional Pre-hearing Questions (Jan. 30, 2015)

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that the foregoing "NRC STAFF RESPONSES TO COMMISSION ADDITIONAL PRE-HEARING QUESTIONS, PROPOSED CORRECTIONS TO DRAFT COL, AND UPDATED EXHIBIT TABLE" dated January 30, 2015, has been filed through the E-Filing system this 30th day of January, 2015.

/Signed (electronically) by/

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Dated at Jersey City, New Jersey
this 30th day of January, 2015