

United States Nuclear Regulatory Commission Official Hearing Exhibit	
In the Matter of: DTE ELECTRIC CO. (Fermi Nuclear Power Plant, Unit 3)	
Commission Mandatory Hearing	
Docket #: Exhibit #: Admitted: Rejected: Other:	05200033 NRC000017-MA-CM01 03/09/2015 Identified: 03/09/2015 Withdrawn: Stricken: Other:

NRC000017

February 19, 2015

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

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

NRC STAFF RESPONSES TO COMMISSION POST-HEARING QUESTIONS

Pursuant to the Commission's Order (Transmitting Post-Hearing Questions) of February 11, 2015, the staff of the U.S. Nuclear Regulatory Commission (Staff) hereby responds to the questions posed in that Order. Attachment A to this filing presents the Staff's responses. Attachment B is an updated exhibit list that includes this filing.

In addition, the Staff would like to add the following clarification to the record. At the bottom of page 124 of the hearing transcript and the top of page 125, Staff witness Adrian Muñiz made a statement that ended in the word "except." The complete statement is as follows:

except as previously stated in the staff's response to pre-hearing question 33. In its answer to that question, the Staff proposed a modification to the license condition associated with Near-Term Task Force Recommendation 4.2 to improve its clarity.

/Signed (electronically) by/
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Dated at Rockville, Maryland
 This 19th day of February, 2015

ATTACHMENT A

**NRC Staff Responses to Commission
Post-Hearing Questions**

ATTACHMENT A

NRC Staff Responses to Commission Post-Hearing Questions

1. Are there any “first plant only” requirements for the Economic Simplified Boiling Water Reactor (ESBWR) that could apply to Fermi Unit 3?

Staff Response: The staff examined the design documentation for the ESBWR in order to address this question. The ESBWR Design Certification Document (DCD) identifies “first of a kind” testing requirements which apply to the first plant constructed. Therefore, the following “first of a kind” testing requirements would apply to Fermi 3 if it is the first ESBWR plant to complete construction.

Because of the evolutionary nature of the ESBWR, some systems are new or are increased in size such that these systems are subjected to “first of a kind” testing. The purpose of these “first of a kind” tests is to confirm proper operation of the new design, in addition to confirming that the testing of prior smaller applications is valid. The “first of a kind” tests, provided below for reference, are required by the initial test program for the first completed ESBWR:

- Core Performance Test, (ESBWR DCD Section 14.2.8.2.7)
- Reactor Pre Critical Heatup with Reactor Water Cleanup/Shutdown Cooling Test, (ESBWR DCD Section 14.2.8.2.35.1)
- Isolation Condenser System Heatup and Steady State Operation Test, (ESBWR DCD Section 14.2.8.2.35.2)
- Power Maneuvering in the Feedwater Temperature Operation Domain Test, (ESBWR DCD Section 14.2.8.2.35.3)
- Load Maneuvering Capability Test, (ESBWR DCD Section 14.2.8.2.35.4)
- Defense-in-Depth Stability Solution Evaluation Test, (ESBWR DCD Section 14.2.8.2.35.5)

Additionally, the ESBWR includes the following first plant requirements:

- ITAAC that requires the first prototype containment structure to be instrumented to measure strains per ASME Code Section III, Division 2, CC-6370 (Table 2.4.1-3, Tier 1 ESBWR DCD).
- A prototype vibration assessment program for reactor internals, other than the steam dryer, in accordance with RG 1.20, Revision 3 (FSER Section 3.9.2). The steam dryer testing is required of every plant.

- 2. In light of the Staff's testimony that "we don't do a specific inimicality review," please describe the basis for the Staff's finding that issuing the combined license (COL) for Fermi Unit 3 will not be inimical to the common defense and security.**

Staff Response: Section 102 of the Atomic Energy Act (AEA) of 1954, as amended (AEA) states that any license issued for a utilization or production facility for industrial or commercial purposes must meet the requirements set out in Section 103 of the AEA. Section 103d. of the AEA provides, in pertinent part, that:

In any event, no license may be issued to any person within the United States if, in the opinion of the Commission, the issuance of a license to such person would be inimical to the common defense and security or to the health and safety of the public.

The AEA "inimicality" prohibition (also found in NRC's regulations at 10 CFR 50.40(c)) is a statutory requirement applicable to every licensing matter for utilization or production facilities. For the Fermi 3 COL review, the staff's finding is based on the following considerations:

- The staff evaluations provided in the final safety evaluation report (FSER) document Fermi 3's compliance with established requirements for control of special nuclear materials, physical security, and cyber security.
- The staff evaluations provided in the FSER document Fermi 3's compliance with established safety and radiological protection requirements.

In summary, the staff concludes based upon its review that the Fermi COL application is in compliance with all of the applicable regulatory requirements such that the issuance of the COL will not be inimical to common defense and security or the public health and safety.

- 3. Discuss the limitations that the design finality associated with the ESBWR Design Control Document (DCD) poses with respect to altering the requirements for RTNSS ("regulatory treatment of non-safety systems") buildings as currently contemplated in the recently-revised Staff guidance.**

Staff Response: As the Commission notes, this question involves the ESBWR certified design, not the Fermi COL application, and there are restrictions placed on making changes to certified designs. These restrictions were put in place by the Commission to maintain the standardization of certified designs, in part, and if potential safety issues are in question, to limit changes to those that are necessary for adequate protection or result in substantial safety increases that are cost-justified. 10 CFR 52.63(a)(1) states that notwithstanding any provision in 10 CFR 50.109, while a standard design certification rule is in effect under 10 CFR 52.55 or 10 CFR 52.61, the Commission may not modify, rescind, or impose new requirements on the certification information, whether on its own motion or in response to a petition from any person, unless the Commission determines in a rulemaking that the change:

- (i) Is necessary either to bring the certification information or the referencing plants into compliance with the Commission's regulations applicable and in effect at the time the certification was issued;
- (ii) Is necessary to provide adequate protection of the public health and safety or the common defense and security;

- (iii) Reduces unnecessary regulatory burden and maintains protection to public health and safety and the common defense and security;
- (iv) Provides the detailed design information to be verified under those inspections, tests, analyses, and acceptance criteria (ITAAC) which are directed at certification information (i.e., design acceptance criteria);
- (v) Is necessary to correct material errors in the certification information;
- (vi) Substantially increases overall safety, reliability, or security of facility design, construction, or operation, and the direct and indirect costs of implementation of the rule change are justified in view of this increased safety, reliability, or security; or
- (vii) Contributes to increased standardization of the certification information.

10 CFR 52.63(a)(4) states that the Commission may not impose new requirements by plant-specific order on any part of the design of a specific plant referencing the design certification rule if that part was approved in the design certification while a design certification rule is in effect under 10 CFR 52.55 or 10 CFR 52.61, unless:

- (i) A modification is necessary to secure compliance with the Commission's regulations applicable and in effect at the time the certification was issued, or to assure adequate protection of the public health and safety or the common defense and security; and
- (ii) Special circumstances as defined in 10 CFR 52.7 are present. In addition to the factors listed in 10 CFR 52.7, the Commission shall consider whether the special circumstances which 10 CFR 52.7 requires to be present outweigh any decrease in safety that may result from the reduction in standardization caused by the plant-specific order.

The staff considered the need to revise the ESBWR certification information during the design certification review, in light of a new position on the treatment of external events for RTNSS B equipment. The new position does not satisfy any criterion in 10 CFR 52.63 that would justify a plant-specific requirement for Fermi 3 regarding protection of equipment from tornado winds and missiles. When the Commission certified the ESBWR standard design, effective on November 14, 2014, the requirements of 10 CFR 52.63 began to govern NRC changes to the information in the ESBWR DCD incorporated by reference into 10 CFR Part 52, Appendix E, as discussed above.

The Fermi 3 application references Part 52, Appendix E, and the ESBWR DCD, and does not include any site-specific RTNSS SSCs. All RTNSS B equipment in the ESBWR design is, at a minimum, located in a seismic Category II structure designed to a tornado wind load and category 5 hurricane missiles, but not necessarily to the design-basis tornado missiles required for safety-related equipment. In the hypothetical complete absence of RTNSS B SSCs due to a tornado, the ESBWR design can establish and maintain safe-shutdown conditions for the plant following a tornado event with no operator action necessary for the first 72 hours using safety-related SSCs. For this hypothetical scenario, the staff concludes that beyond 72 hours it is reasonable to utilize offsite resources to maintain long-term safety.

4. During the hearing, the Staff testified that, when new species are listed under the Endangered Species Act (ESA) before the NRC reaches and finalizes a decision on a licensing action, the NRC will consult with the Fish and Wildlife Service (FWS) to determine whether the proposed action would have an adverse effect on the species. On December 11, 2014, the FWS issued a notice determining that a species of bird—the rufa red knot—had been designated as threatened under the ESA. The listing was expected to become effective on January 12, 2015. Consistent with Section 7 of the ESA, the NRC Staff initiated consultation with the FWS to evaluate the possibility that the rufa red knot may be present within the vicinity of the proposed Fermi Unit 3 site and, if so, whether NRC's issuance of the COL could adversely affect it. During the uncontested hearing, the Staff noted that it could not make a final recommendation about issuance of the COL until it had concluded its consultation with FWS. Please indicate when the Staff expects to complete its consultation on the rufa red knot and how it intends to inform the Commission of the result of that consultation.

Staff Response: The staff plans to submit the Biological Assessment (BA) on the rufa red knot bird, which is currently in concurrence, to the FWS during the week of February 23, 2015. During the development of the BA since the mandatory hearing, the staff has preliminarily determined that the rufa red knot is unlikely to be adversely affected by the proposed action because of the lack of direct impacts on the shoreline habitat, the low numbers of birds likely to be present at any one time, and the short duration of the birds' stopovers during migrations. If the FWS agrees with the staff's determination, FWS will provide concurrence in writing within 30 days of receipt of the BA. However, if FWS does not agree with either the determination or the mitigation described in the BA, FWS may decide to prepare a biological opinion. If a biological opinion is prepared, consultation could take as long as 120 days. The staff intends to notify the Commission of the conclusion of consultation by means of a written filing on the Fermi mandatory hearing docket by Electronic Information Exchange (EIE).

5. The Staff also testified that FWS plans to list the northern long-eared bat as a threatened species on April 2, 2015. The Staff stated that completion of consultation could delay a final licensing decision by one to six months, depending on whether additional surveys to look at roosting patterns are needed. The Staff also stated that it intends to proactively prepare a supplement to the biological assessment for the bat, so that it can be submitted promptly to the FWS if the species is listed as anticipated on April 2, 2015, and action has not been taken on the Fermi Unit 3 COL application. The applicant presented the position that it believes that the Staff has the authority to make a "no effects" determination now, presumably on the information provided by the applicant, and therefore, need not initiate consultation with FWS on the long-eared bat.

- a. What are the requirements under the ESA with respect to the prospective listing of a species as threatened or endangered?

Staff Response: A "proposed" species is defined under the ESA as any species that is proposed in the *Federal Register* to be listed under section 4 of the Act. Federal agencies are required under 50 CFR 402.10(a) to confer with the FWS or the National Marine Fisheries Service (NMFS), depending on the species, on any action which is likely to jeopardize the continued existence of any proposed species. The NRC, like many federal agencies, uses a BA to determine whether conference with the appropriate service on a proposed species is

necessary, in accordance with 50 CFR 402.12(k). According to 50 CFR 402.10(c), if a proposed species is subsequently listed, as the staff expects the bat to be, the agency must review its action to determine whether consultation is required.

As stated at the mandatory hearing, staff has already communicated with the FWS regarding the northern long-eared bat and plans to complete a BA to be filed with the FWS in the event the bat is listed prior to a final licensing decision. If the BA determines that the proposed action will likely adversely affect the bat, the staff will either engage in conference with the FWS if the bat has not yet been officially listed, or will engage in consultation with the FWS if the BA is submitted after the bat has been listed. If the staff concludes in the BA that the proposed action would have no effect on the bat, or that the action may affect, but would not likely adversely affect the bat, the staff would also seek the FWS's concurrence with that conclusion.

b. Can a COL be issued prior to consultation being completed given the Environmental Protection Plan? What are the possible ramifications of issuing a license without completing consultation and relying on a license condition?

Staff Response: Although Federal courts have concluded that under some circumstances an agency does not necessarily violate the ESA by making its final licensing decision prior to its completion of Section 7 consultation, not all courts have agreed. Consequently, completing consultation prior to a licensing decision is highly advisable both for minimizing litigation risk and ensuring informed agency decision-making. Accordingly, the Environmental Protection Plans (EPPs) imposed with COLs (such as the one proposed to be included in the draft Fermi license) are not intended to defer ESA consultation, but rather to reflect substantive obligations arising out of the consultation. The EPP requires the licensee to comply with the terms and conditions of its Incidental Take Statement, if one was issued as part of the Section 7 consultation for the issuance of the COL; the EPP also requires the licensee to inform the NRC if there has been a taking or discovery of an endangered and/or threatened species. An EPP, therefore, ensures a licensee's compliance with substantive provisions established during the initial Section 7 consultation for protection of listed species, and it ensures that the NRC remains informed of relevant new developments so that it can take action as appropriate, but it does not obviate the NRC's responsibility to consult in the first instance to determine whether its action would have an adverse effect on listed species.

From a legal standpoint, completing consultation before a final licensing decision minimizes the potential for ESA-related litigation challenges, whether of a procedural or substantive nature. In particular, it provides the NRC the benefit of the "safe harbor" that accompanies reliance on FWS concurrence with the agency's conclusion.¹ From a policy standpoint, this approach also provides the greatest transparency to the NRC, the applicant, and the public regarding the effects (if any) of the NRC's action on listed species and the ultimate measures (if any) that the licensee would need to take to prevent harm to the species.

Consequently, the staff would not advocate reliance on the EPP or other ESA-related license condition for issuing a Fermi 3 COL prior to completing its interactions with the FWS on the rufa red knot bird and the northern long-eared bat (assuming the bat is listed prior to a final licensing decision). While it is true that imposition of a broad "prohibition condition" on construction activities pending consultation would preclude harm to the species, the staff does not consider it sound regulatory practice to issue a license without a clear understanding of whether (and to

¹ See, e.g., *Ariz. Cattle Growers' Ass'n v. U.S. Fish and Wildlife Serv.*, 273 F.3d 1229, 1239 (9th Cir. 2001).

what extent) specific limitations might ultimately need to be imposed on the licensed activities. And without the benefit of basic information about listed species that is obtained through the staff's initial coordination with the FWS as the agency with special expertise, staff is not in a position to make an informed decision whether the action could adversely affect the species. Accordingly, from both a legal and policy standpoint, the staff considers completion of its interactions with FWS on any newly-listed species prior to a final licensing decision to be the strongly preferred approach.

6. In the event that the FWS lists the long-eared bat, the Staff indicated during the mandatory hearing that the agency would have to wait for a response from FWS before proceeding with the licensing action even if the Staff concludes that issuing the COL will have no effect on that species. Please reconcile this position with the text of 50 C.F.R. § 402.14(a), which reads, "Each Federal agency shall review its actions at the earliest possible time to determine whether any action may affect listed species or critical habitat. If such a determination is made, formal consultation is required . . ." In addition, please reconcile this position with the following federal precedents, *Water Keeper Alliance v. U.S. Dept. of Defense*, 271 F.3d 21, 31-32 (1st Cir. 2001) (noting that "the preparation of a biological assessment does not automatically push the parties into formal consultation, but rather, formal consultation follows only if a biological assessment shows that the action 'may affect listed species or critical habitat'"), and *Pacific Rivers Council v. Thomas*, 30 F.3d 1050, 1054 n.8 (9th Cir. 1994) ("Thus, if the agency determines that a particular action will have no effect on an endangered or threatened species, the consultation requirements are not triggered.").

Staff Response: The staff's practice is to prepare a BA to consult with FWS in order to develop an informed basis for determining whether the NRC's action may affect listed species or critical habitat. This approach is consistent with staff guidance in NUREG-1555 and in LIC-203, "Procedural Guidance for Preparing Categorical Exclusions, Environmental Assessments, and Considering Environmental Issues" (ADAMS Accession No. ML12234A708), which specifies that "generally, the NRC consults with the FWS or NMFS for all major Federal actions under NEPA that require the preparation of an EIS" (such as a COL). Thus, the staff plans to prospectively begin preparing a BA for the northern long-eared bat so that if it is listed by FWS prior to the NRC taking a licensing action for Fermi 3, the consultation process can be efficiently resolved. This consultation practice is also consistent with 50 CFR 402.14. While the text in Section 402.14(a) describes, generally, when formal consultation is required, Section 402.14(b)(1) provides the following specific exception, which reflects the process the staff is following for consultation on the rufa red knot bird and that it plans to follow for consultation on the northern long-eared bat if it is listed prior to the NRC's action:

[a] Federal agency need not initiate formal consultation if, as a result of the preparation of a biological assessment under §402.12 or as a result of informal consultation with the Service under §402.13, the Federal agency determines, with the written concurrence of the Director, that the proposed action is not likely to adversely affect any listed species or critical habitat.

The staff's process is also consistent with the precedents in *Water Keeper Alliance* and *Pacific Rivers Council* because the staff uses the preparation of a BA and associated correspondence with FWS to determine whether formal consultation is necessary (i.e., whether the proposed action may adversely affect a listed species). Neither case counsels against the staff's

development of a BA to assess the need for formal consultation. Pursuant to 50 CFR 402.12, formal consultation is not necessary when FWS concurs with an agency's BA conclusion that the proposed action is not likely to adversely affect a listed species. Although under 10 CFR 402.14(a) the NRC is not required to engage in further consultation with FWS if it determines that an action will have no effect on a listed species, the staff does not currently have sufficient information to determine that the proposed action would have no effect on the northern long-eared bat. As described above, in such circumstances the staff's practice is to develop a BA to establish a reasoned basis for concluding whether a species will be affected and, if so, whether a formal consultation process is required.

ATTACHMENT B

**Revised Staff Exhibit List for
Fermi Mandatory Hearing**

ATTACHMENT B

Revised Staff Exhibit List for Fermi Mandatory Hearing

February 19, 2015

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.
NRC000007	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, Proposed Corrections to Draft COL, and Updated Exhibit Table (Jan. 30, 2015), ADAMS Accession No. ML15030A490.
NRC000017	Frank Akstulewicz & Mark Delligatti	NRC Staff Responses to Commission Post-Hearing Questions (Feb. 19, 2015).

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

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 document entitled NRC STAFF RESPONSES TO COMMISSION POST-HEARING QUESTIONS, dated February 19, 2015, has been filed through the E-Filing system this 19th day of February, 2015.

/Signed (electronically) by/

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Dated at Rockville, Maryland
This 19th day of February, 2015