

May 12, 2015

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:

SUBJECT: CORRECTIONS TO NRC STAFF HEARING FILE UPDATE NO. 49

On May 8, 2015, the NRC Staff filed Hearing File Update No. 49 in the Turkey Point COL proceeding. The hearing file index identified 77 documents, and, as indicated in the May 8 cover letter, the Staff did not identify any proprietary documents and, accordingly, did not include a proprietary document log in the update. Since that filing, however, the Staff has determined that the hearing file index for Update 49 includes ADAMS accession numbers for two proprietary documents, both of which are not publicly available. Further, the hearing file index lists ADAMS accession numbers for 45 documents that the Staff has determined are not relevant to the admitted contention and are not otherwise required to be disclosed by 10 C.F.R. §§ 2.336(b) or 2.1203(b).

The Staff hereby corrects Hearing File Update No. 49. The Staff is providing the Licensing Board and the parties a corrected hearing file 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. The corrected index, as compared to the index filed on May 8, 2015, removes the ADAMS accession numbers for the 45 documents described above as not requiring disclosure under §§ 2.336(b) or 2.1203(b) and for the two proprietary documents. In accordance with the March 30, 2011, Order, however, the Staff is required to produce a log of documents withheld

as containing proprietary information. The ADAMS accession numbers of the two proprietary documents mentioned above are listed in the attached privilege log (Attachment 2). As directed by the Licensing Board, the Staff is preserving and maintaining all privileged documents during the pendency of this proceeding.

With respect to the 45 documents the Staff determined need not be disclosed under §§ 2.336(b) and 2.1203, and for which the Staff removed the ADAMS accession numbers from the corrected hearing file index, all but two documents, which are internal Staff communications, are publicly available. Additionally, the Staff will add the documents identified in the corrected index to the agency's Electronic Hearing Docket ("EHD") associated with this proceeding entitled "Turkey Point Hearing File." Although the Staff has not added any documents to the corrected hearing file index, the Staff is also attaching the Affidavit of Manny Comar to ensure compliance with 10 C.F.R. § 2.336(c).

The Staff regrets the errors and any inconvenience they may have caused the Board and parties.

Respectfully submitted,

/Signed (electronically) by/
Robert M. Weisman
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
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Enclosures: Attachment 1: Hearing File Index
Attachment 2: Privilege Log
Attachment 3: Affidavit of Manny Comar

**Turkey Point COL Hearing File and Mandatory Disclosures
Attachment 1 - Hearing File Index
Update 49 – CORRECTED May 12, 2015**

ID#	Accession Number	Document Date	Title
49-01	ML15091A388	03/30/2015	Turkey Points Units 6 and 7, Supplemental Response to NRC Request for Additional Information Letter No. 065 (eRAI 6750) Standard Review Plan Section 08.03 - Stability of Offsite Power Systems.
49-02	ML15092A222	03/31/2015	Turkey Point Units 6 and 7, Supplemental Response to NRC Request for Additional Information Letter No. 58 (eRAI 6434) - Concerning Implementation of Fukushima Near-Term Task Force Recommendations.
49-03	ML15098A193	04/02/2015	Attachment 2: FPL Revised Response to NRC RAI No. 03.07.01-15 (eRAI 6432) Page 107 to Attachment 2 Enclosure 1 Page8 of 8.
49-04	ML15098A192	04/02/2015	Attachments 1 & 2: FPL Revised Response to NRC RAI Nos. 03.07.01-14 (eRAI 6432) & 03.07.01-15 (eRAI 6432) Page 1 to 106 of 172.
49-05	ML15098A194	04/02/2015	Enclosure 3 - AP1000 Turkey Point Site Specific Seismic Evaluation Report TPG-1000-S2R-807, Revision 3. Page 1 to 152 of 231.
49-06	ML15098A195	04/02/2015	Enclosure 3 - AP1000 Turkey Point Site Specific Seismic Evaluation Report TPG-1000-S2R-807, Revision 3. Page 153 to 231 of 231.
49-07	ML15100A010	04/02/2015	Proposed Turkey Point, Units 6 and 7 - Voluntary Revised Response to NRC Request for Additional Information Letter No. 007 (eRAI 4975) SRP Section 03.07.01 - Seismic Design Parameters.
49-08	ML15098A191	04/02/2015	Turkey Point Units 6 and 7 - Voluntary Revised Response to NRC Request for Additional Information Letter No. 061 (eRAI 6432) Related to SRP Section 03.07.01 - Seismic Design Parameters.
49-09	ML15092A287	04/07/2015	03/26/2015-Meeting Summary With Members of The AP1000 Design Center To Discuss AP1000 Licensing and Technical Issues.
49-10	ML15098A463	04/07/2015	Proposed Turkey Point, Units 6 and 7 - Revised Response to NRC Request for Additional Information Letter No. 063 (eRAI 5695) Related to SRP Section 11.02 - Liquid Waste Management System.
49-11	ML15103A544	04/10/2015	Proposed Turkey Point, Units 6 and 7 - Response to NRC Request for Additional Information Letter No. 082 (eRAI 7811) SRP Section 02.05.04 - Stability of Subsurface Materials and Foundations.
49-12	ML15103A543	04/10/2015	Turkey Point, Units 6 and 7, Responses to RAI and FSAR Chapter 19, Updated Schedule for FSAR Chapter 2.
49-13	ML15124A955	04/13/2015	2015/04/13 Turkey Point COL Hearing - FW: FPL reading room posting-Supporting Documentation for RAI Question 02.05.01-34
49-14	ML15107A078	04/15/2015	Proposed Turkey Point Units 6 and 7, Submittal of 10 CFR 50.46 Annual Report for the AP1000 Standard Plant Design.
49-15	ML15124A957	04/16/2015	2015/04/16 Turkey Point COL Hearing - FW: Media Coverage in Regards To Public Meetings
49-16	ML15110A419	04/16/2015	Turkey Point, Units 6 & 7, Response to NRC Request for Additional Information Letter No. 083 (eRAI 7815) SRP Section 03.08.05 - Foundations.

Turkey Point COL Hearing File and Mandatory Disclosures
Attachment 1 - Hearing File Index
Update 49 – CORRECTED May 12, 2015

ID#	Accession Number	Document Date	Title
49-17	ML15110A446	04/17/2015	Proposed Turkey Point Units 6 and 7, Response to NRC Request for Additional Information Letter No. 082 (eRAI 7811) SRP Section 02.05.04 - Stability of Subsurface Materials and Foundations.
49-18	ML15119A013	04/27/2015	Proposed Turkey Point, Units 6 and 7 - Response to NRC Request for Additional Information Letter No. 082 (eRAI 7811) SRP Section 02.05.04 - Stability of Subsurface Materials and Foundations.
49-19	ML15124A981	04/28/2015	2015/04/28 Turkey Point COL Hearing - FW: Updated ASER FSAR chapter Review Matrix
49-20	ML15124A965	04/29/2015	2015/04/29 Turkey Point COL Hearing - Conference call to discuss ITAAC related to fill concrete
49-21	ML15124A964	04/29/2015	2015/04/29 Turkey Point COL Hearing - RE: Conference call to discuss ITAAC related to fill concrete
49-22	ML15121A793	04/29/2015	Proposed Turkey Point, Units 6 and 7 - Submittal of AP1000 Combined License Application Semi-Annual Departure Report.
49-23	ML15124A962	04/30/2015	2015/04/30 Turkey Point COL Hearing - FW: Turkey Point SRP Section 3.5.3
49-24	ML15124A948	04/30/2015	2015/04/30 Turkey Point COL Hearing - RE: Conference call to discuss ITAAC related to fill concrete
49-25	ML15124A947	04/30/2015	2015/04/30 Turkey Point COL Hearing - RE: Conference call to discuss ITAAC related to fill concrete
49-26	ML15124A961	04/30/2015	2015/04/30 Turkey Point COL Hearing - Re: Turkey Point SRP Section 3.5.3
49-27	ML15124A963	04/30/2015	2015/04/30 Turkey Point COL Hearing - RE: Updated ASER FSAR chapter Review Matrix
49-28	ML15124A958	05/04/2015	2015/05/04 Turkey Point COL Hearing - Difficulty opening the file
49-29	ML15124A960	05/04/2015	2015/05/04 Turkey Point COL Hearing - FW: Reading room posting-Supporting Documentation for RAI Question 02.05.04-36
49-30	ML15124A959	05/04/2015	2015/05/04 Turkey Point COL Hearing - FW: Reading room posting-Supporting Documentation for RAI Questions 02.05.01-34 and 02.05.01-35

Turkey Point COL Hearing File and Mandatory Disclosures
Attachment 2 - Hearing File Index
Update 49 – May 12, 2015

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.

ID#	Accession Number	Document Date	Title
PRI-49-01	ML15098A196	04/02/2015	Attachment 2 Enclosure 2 - AP1000 Turkey Point Site Specific Seismic Evaluation Report TPG-1000-S2R-802, Revision 6. Page 1 to 119 of 231.
PRI-49-02	ML15098A190	04/02/2015	Attachment 2 Enclosure 2 - AP1000 Turkey Point Site Specific Seismic Evaluation Report TPG-1000-S2R-802, Revision 6. Page 119 to 231 of 231.

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 May 1, 2015.

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 12th day of May, 2015

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 49, as corrected, has been filed through the E-Filing system and has been served upon the following person by electronic mail (e-mail) this 12th day of May, 2015:

Barry White
Citizens Allied for Safe Energy
10001 S.W. 129th Terrace
Miami, FL 33176
Email: bwtamia@bellsouth.net

/Signed (electronically) by/
Robert M. Weisman
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Robert.Weisman@nrc.gov

Dated at Rockville, Maryland
this 12th day of May, 2015.