

March 10, 2016

E. Roy Hawken, 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:

Pursuant to the Licensing Board's Memorandum and Order dated March 30, 2011, as modified by the Licensing Board's Notice dated September 12, 2012, the Staff is providing the Licensing Board and the parties an 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](http://www.nrc.gov), using the ADAMS "Find" function. Additionally, the Staff will add the documents identified in the index to the agency's Electronic Hearing Docket ("EHD") associated with this proceeding entitled "Turkey Point Hearing File." Also attached, as required by 10 C.F.R. § 2.336(c), is the Affidavit of Brian Hughes.

In accordance with the Licensing Board's March 30, 2011, Memorandum and Order, relieving all parties from the obligation of producing privilege logs, as otherwise required by 10 C.F.R. §§ 2.336(a)(3) and 2.336(b)(5), the Staff is not now producing privilege logs. In accordance with the March 30, 2011, Order, however, the Staff is required to produce a log of documents withheld as containing proprietary information. In preparing the enclosed Hearing File Index update, the Staff identified the document listed in the attached privilege log (Attachment 2) as containing proprietary information. As directed by the Licensing Board, the Staff is preserving and maintaining all privileged documents during the pendency of this proceeding.

In accordance with the Licensing Board's March 5, 2014, Order, the Staff, in Hearing File Update No. 41, dated September 11, 2014, and Hearing File Update No. 36, dated April 10, 2014, provided best-estimate schedules for issuing the final Safety Evaluation Report ("SER") and final Environmental Impact Statement ("EIS"), respectively. On October 27, 2015, the Staff informed the Applicant of changes to these schedules. See Letter from F. M. Akstulewicz, NRC, to M. K. Nazar, FPL (Staff October 2015 Letter) (ADAMS Accession No. ML15286A109).

The schedule in regard to the EIS is unchanged from the schedule set forth in the Staff letter dated October 27, 2015, and the Staff projects that it will issue the final EIS in October 2016. The Staff, however, will look for opportunities to accelerate the completion of the environmental review.

As indicated in the Staff letter dated October 27, 2015, the final milestone for completing the safety review and issuing the SER is listed as "under review." The Staff letter states that the Staff is engaging with the AP1000 licensees and applicants, as well as Westinghouse, to resolve several design issues. When there is greater clarity on the timetable for resolving these issues, the Staff will set a definite schedule for the completion of the Turkey Point Units 6 and 7 COL safety review.

The Staff will promptly inform the Board when it can provide a definite schedule for issuing the final SER, or if the Staff determines that it can accelerate the schedule for issuing the final EIS.

Respectfully submitted,

**/Signed (electronically) by/**

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Enclosures: Attachment 1: Hearing File Index  
Attachment 2: Privilege Log  
Attachment 3: Affidavit of Manny Comar

**Attachment 1**

**Turkey Point COL Hearing File and Mandatory Disclosures  
Hearing File Index  
Update 59 March 10, 2016**

<b>ID#</b>	<b>Accession Number</b>	<b>Document Date</b>	<b>Title</b>
59-01	ML16034A365	03/14/2014	Letter From Florida Power and Light to USACE-Jacksonville District - Miami Regulatory Office, FPL Turkey Point Units 6 and 7 Project, Application No. SAJ-2009-02417 (IP-MLC), dated March 14, 2014.
59-02	ML15364A437	08/31/2014	Turkey Point, Units 3 and 4 - Annual Post-Operate Monitoring Report for Operate Project. Part 18 of 18.
59-03	ML15219A261	08/20/2015	April 22-23, 2015, Summary of Public Meeting Conducted for the Draft Environmental Impact Statement for the Turkey Point, Units 6 and 7, Combined License Application.
59-04	ML15317A288	10/27/2015	Attachment 3 - FPL Scheduling Letter.
59-05	ML15243A420	11/09/2015	Audit Plan for Turkey Point, Units 6 and 7 Combined License Application Final Safety Analysis Report, Chapter 2.5.
59-06	ML15365A134	01/06/2016	Letter - Turkey Point Units 6 and 7 Combined License Application-ASE With No Open Items For Chapter 8, "Electrical Power".
59-07	ML16012A409	01/12/2016	Turkey Point Environmental Review for Units 6 and 7, Supplemental Site Audit Plan, January 2016.
59-08	ML15357A536	01/14/2016	11/12/2015 - Summary of Meeting with Members of the AP1000 Design Center To Discuss AP1000 Licensing and Technical Issues.
59-09	ML16062A361	02/04/2016	2016/02/04 Turkey Point COL Hearing - [External_Sender] Turkey Point, Units 6 & 7 COLA - ASE Without Open Items For Chapter. 8, "Electric Power"
59-10	ML16013A339	02/12/2016	12/10/2015 - Summary of Meeting with Members of the AP1000 Design Center to Discuss AP1000 Licensing and Technical Issues.
59-11	ML16049A095	02/12/2016	Turkey Point, Units 6 and 7 - Supplemental to NRC Request for Additional Information

**Attachment 1**

**Turkey Point COL Hearing File and Mandatory Disclosures  
Hearing File Index  
Update 59 March 10, 2016**

<b>ID#</b>	<b>Accession Number</b>	<b>Document Date</b>	<b>Title</b>
			Letter No. 64 (eRAI 6544) Related to SRP Section 03.05.03 - Barrier Design Procedures.
59-12	ML16043A492	03/01/2016	01/25/2016-Summary of Meeting With Members of the AP1000 Design Center To Discuss AP1000 Licensing and Technical Issues.
59-13	ML16043A519	03/01/2016	02/26/2015 - Summary of Meeting with Members of the AP1000 Design Center to Discuss AP1000 Design Matters for the Levy Nuclear Plant, Units 1 and 2 COL-Estimated Dose to Main Control Room Operators, MCR Heatup, and Hydrogen Vent Location, ITAAC.
59-14	ML16062A362	03/02/2016	2016/03/02 Turkey Point COL Hearing - FW: Turkey Point, Units 6 & 7 COLA - ASE Without Open Items For Chapter. 8, "Electric Power" < a e>

**Attachment 2****Turkey Point COL Hearing File and Mandatory Disclosures  
Privilege Log -- Proprietary Information  
Update 59- March 10, 2016**

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>PDP No.</b>	<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>
59-01	ML16049A100	Florida Power & Light Co	Supplement to eRAI-6544, TPG- GW-GLR-002, Rev. 3.	02/12/2016	Response to Request for Additional Information (RAI)	NRC/Document Control Desk NRC/NRO		28

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 March 1, 2016.

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  
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Manny.Comar@nrc.gov

Executed in Rockville, MD  
this 10<sup>th</sup> day of March, 2016

March 10, 2016

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  
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(Turkey Point Units 6 and 7) )

CERTIFICATE OF SERVICE

I hereby certify that the NRC Staff's Hearing File Update 59 has been filed through the E-Filing system this 10<sup>th</sup> day of March, 2016.

**/Signed (electronically) by/**

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