

February 9, 2017

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:

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 (Attachment 1) identifying additions to the Hearing File required to be disclosed by the Staff pursuant to 10 C.F.R. § 2.336(d). The index includes 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. 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 Manny Comar.

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 one 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.

Respectfully submitted,

/Signed (electronically) by/
Megan A. Wright
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

Attachment 1

**Turkey Point COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 70 February 9, 2017**

ID#	Accession Number	Document Date	Title
70-1	ML17010A034	12/22/2016	Comment (2) of G. Alan Farmer EPA Review Final Environmental Impact Statement (FEIS) Turkey Point Nuclear Plant, Units 6 and 7, Combined Licenses (COLs), Florida.
70-2	ML17003A428	12/29/2016	Letter from the Florida Keys Aqueduct Authority provides comments regarding the issuance of combined licenses for Turkey Point Units 6 and 7.
70-3	ML17006A140	01/03/2017	Comment from the Tribal Historic Preservation Office of the Seminole Tribe of Florida.
70-4	ML17006A141	01/04/2017	Letter from the Monroe County Attorney Robert B. Shillinger Requesting for Extended Deadline to Submit Comments.
70-5	ML17005A368	01/11/2017	Letter to National Marine Fisheries Regarding Essential Fish Habitat for Proposed Turkey Point, Units 6 and 7.
70-6	ML17011A315	01/11/2017	NRC Staff Best Estimate of Time for Concluding Consultations.
70-7	ML17037C904	02/06/2017	2017/02/06 Turkey Point COL Hearing - FW: Draft Presenters List for NRC Commission Hearing.
70-8	ML17037C903	02/06/2017	2017/02/06 Turkey Point COL Hearing - FW: Turkey Point Mandatory Hearing – Comment.
70-9	ML17037C901	02/06/2017	2017/02/06 Turkey Point COL Hearing - FW: Turkey Point Mandatory Hearing – Comments.

Attachment 2**Turkey Point COL Hearing File and Mandatory Disclosures
Privilege Log -- Proprietary Information
Update 70- February 9, 2017**

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding have been determined by the NRC Staff to include trade secrets or 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.

PDP No.	Accession Number	Author Name/ Affiliation	Title/Description	Document Date	Document Type	Addressee/ Addressee Affiliation	Comment	Pages
70-1	ML16095A034	Franzone, S., Florida Power & Light Co	2016/03/16 Turkey Point COL Hearing - [External_Sender] Proprietary Review of Audit Plan	03/16/2016	E-Mail	NRC/NRO		3

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 February 1, 2017.

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
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Executed in Rockville, MD
this 9th day of February, 2017

February 9, 2017

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 Turkey Point COL Hearing File Update 70 has been filed through the E-Filing system this 9th day of February, 2017.

/Signed (electronically) by/
Megan A. Wright
Counsel for the NRC Staff
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(972) 294-5792
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Dated at Frisco, Texas
this 9th day of February, 2017