

September 14, 2011

Administrative Judge, Chairman  
Michael M. Gibson  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Administrative Judge  
Dr. Anthony J. Baratta  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Administrative Judge  
Dr. Mark O. Barnett  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

In the Matter of  
EXELON NUCLEAR TEXAS HOLDINGS, LLC  
(Victoria County Station Site)  
Docket No. 52-042

Dear Administrative Judges:

Pursuant to the Board's Scheduling Order dated August 10, 2011, the Staff herein provides to the Board and the parties as an enclosure to this letter an index identifying additions to the Hearing File, as required to be disclosed by the Staff in accordance with 10 C.F.R. § 2.336(d). The index contains the ADAMS accession number, date, and title of each enumerated 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 indexed documents to the folder in the agency's Electronic Hearing Docket ("EHD") associated with this proceeding, entitled "Victoria Stn Hearing File." Also attached, as required by 10 C.F.R. § 2.336(c), is the Affidavit of Tekia Govan.

In accordance with the Licensing Board's August 10, 2011 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 producing privilege logs at this time. However, in accordance with the August 10 Order, the Staff shall produce a log of documents withheld as containing proprietary, security-related, or safeguards information. In preparing the enclosed Hearing File Index update, the Staff has not identified any document for inclusion on the log of documents withheld as containing proprietary, security-related, or safeguards information. As directed by the Licensing Board, the Staff shall preserve and maintain all privileged documents during the pendency of this proceeding.

Respectfully submitted,

**/Signed (electronically) by/**

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U.S. Nuclear Regulatory Commission  
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Enclosures: Attachment 1: Hearing File Index  
Attachment 2: Affidavit of Tekia Govan

**Attachment 1****Victoria County Station ESP Hearing File and Mandatory Disclosures  
Hearing File Index  
Update 2 – September 14, 2011**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title\Description</b>
2-1	ML11222A195	07/27/2011	2011/07/27 Victoria ESP - FW: Safety Review
2-2	ML11222A041	07/28/2011	Jurisdictional Determination SWG-2008-00694.
2-3	ML11222A192	07/29/2011	2011/07/29 Victoria ESP - FW: NRC Response to 10 CFR 2.390 Withholding Requests
2-4	ML11222A194	07/29/2011	2011/07/29 Victoria ESP - RE: NRC Response to 10 CFR 2.390 Withholding Requests
2-5	ML11222A191	08/04/2011	2011/08/04 Victoria ESP - RAI update
2-6	ML11222A197	08/08/2011	2011/08/08 Victoria ESP - FW: Exelon Generation Co (UNCLASSIFIED)
2-7	ML11222A189	08/09/2011	2011/08/09 Victoria ESP - Message
2-8	ML11222A190	08/09/2011	2011/08/09 Victoria ESP - FW: DRAFT RAI 5862
2-9	ML11222A228	08/10/2011	Initial Scheduling Order.
2-10	ML11224A122	08/12/2011	Memorandum and Order (Granting in Part and Denying in Part Exelon's Motion for Clarification).
2-11	ML11227A030	08/15/2011	Staff Disclosures Update 1.
2-12	ML11227A167	08/15/2011	Disclosures Pursuant to 10 C.F.R. Section 2.336; Exelon Nuclear Texas Holdings, LLC (Early Site Permit for Victoria County Station Site).
2-13	ML11228A280	08/16/2011	Joint Motion for Entry of an Amended Protective Order.
2-14	ML112290190	08/17/2011	Victoria County Station - Early Site Permit Application, Response to Request for Additional Information Letter No. 08.
2-15	ML11250A150	08/18/2011	2011/08/18 Victoria ESP - FW: ESP Exelon Victoria - Mailing List.rtf
2-16	ML11250A151	08/18/2011	2011/08/18 Victoria ESP - FW: Exelon Response to NRC RAI Letter No. 8
2-17	ML11250A152	08/18/2011	2011/08/18 Victoria ESP - DRAFT RAI 5956

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title\Description</b>
2-18	ML11250A154	08/18/2011	2011/08/18 Victoria ESP - ESP Exelon Victoria - Mailing List.rtf
2-19	ML112280478	08/22/2011	IR 05200042-11-201, on July 18-21, 2011, Exelon Nuclear Texas Holdings, LLC.
2-20	ML112340884	08/22/2011	Victoria County Station Early Site Permit Application Response to Request for Additional Information Letter No. 06 - Regulatory Commitment Revision RAI Question No. 13.03-34.
2-21	ML112310743	08/23/2011	Request For Withholding Information From Public Disclosure For Victoria County Station Early Site Permit Application.
2-22	ML112340674	08/23/2011	Request for Additional Information Letter No. 11 (SRP Sections 02.03.01-Regional Climatology) Related to the Victoria County Station Early Site Permit Application.
2-23	ML11250A149	08/23/2011	2011/08/23 Victoria ESP - Courtesy Copy of RAI
2-24	ML112350956	08/25/2011	Request For Withholding Information From Public Disclosure For Victoria County Station Early Site Permit Application.
2-25	ML11238A082	08/26/2011	Memorandum and Order (Amended Protective Order Governing the Disclosure of Protected Information).
2-26	ML11243A229	08/31/2011	NRC Staff First Monthly Status Report in the Matter of Victoria County Station Site.
2-27	ML112440575	09/01/2011	Victoria County Station Early Site Permit Application Response to Request for Additional Information Letter No. 06.
2-28	ML11244A237	09/01/2011	Notice of Appearance of Lance A. Escher on Behalf of Exelon Nuclear Texas Holdings, LLC in the Matter of Early Site Permit for Victoria County Station Site.
2-29	ML11244A239	09/01/2011	Submittal of Non-Disclosure Affidavits Allowing Access to Sensitive Unclassified Non-Safeguards Information.
2-30	ML112500298	09/07/2011	Request for Additional Information Letter No. 12 (SRP Section 11.03-Gaseous Waste Management System) Related To The Victoria County Station Early Site Permit Application.
2-31	ML11255A254	09/12/2011	2011/09/12 Victoria ESP - FW: ML103050454 - 401 Water Quality Certification of Exelon Victoria County Station

September 14, 2011

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
 )  
EXELON TEXAS NUCLEAR HOLDINGS, LLC ) Docket No. 52-042  
 )  
(Victoria County Station Site) )

AFFIDAVIT OF TEKIA GOVAN CONCERNING  
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. §§ 2.336(b) and 2.1203

I, Tekia Govan, do hereby state as follows:

1. I am employed as a Project Manager in the NGE Projects Branch of the Division of New Reactor Licensing in the Nuclear Regulatory Commission's ("NRC") Office of New Reactors. I serve as project manager for the NRC's review of the Early Site Permit submitted by Exelon Texas Nuclear Holdings, LLC, at issue in this proceeding.
2. Pursuant to the regulations, I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336(d) in the captioned proceeding have been disclosed and that the disclosures are accurate and complete as of September 1, 2011.
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)**

Tekia Govan  
Project Manager, NGE Projects Branch  
Division of New Reactor Licensing  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D38M  
Washington, DC 20555-0001  
(301) 415-6197  
Tekia.Govan@nrc.gov

Executed in Rockville, MD  
this the 14th day of September, 2011

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
	)	
EXELON TEXAS NUCLEAR HOLDINGS, LLC	)	Docket No. 52-042
	)	
(Victoria County Station Site)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated September 14, 2011, providing notice of the availability of the hearing file and mandatory disclosures made pursuant to 10 C.F.R. § 2.336(d), with attachments, together with the affidavit of Tekia Govan, have been served upon the following persons by Electronic Information Exchange this 14th day of September, 2011:

Administrative Judge, Chairman Michael M. Gibson Atomic Safety and Licensing Board Panel Mail Stop – T-3 F23 U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 E-mail: Michael.Gibson@nrc.gov	Office of Commission Appellate Adjudication Mail Stop O-16C1 U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 E-mail: OCAEmail@nrc.gov
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Administrative Judge Dr. Anthony J. Baratta Atomic Safety and Licensing Board Panel Mail Stop – T-3 F23 U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 E-mail: Anthony.Baratta@nrc.gov	Office of the Secretary ATTN: Docketing and Service Mail Stop: O-16C1 U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 E-mail: HEARINGDOCKET@nrc.gov
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Administrative Judge Dr. Mark O. Barnett Atomic Safety and Licensing Board Panel Mail Stop – T-3 F23 U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 E-mail: Mark.Barnett@nrc.gov	Counsel for Texans for a Sound Energy Policy (TSEP) Blackburn Carter 4709 Austin Street Houston, Texas 77004 James B. Blackburn, Jr., Esq. Charles Irvine, Esq. E-mail: jbblaw@blackburncarter.com E-mail: charles@blackburncarter.com
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**/Signed (electronically) by/**

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Dated at Rockville, Maryland  
this 14th day of September, 2011