

September 11, 2014

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, 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 no documents for inclusion on the log of documents withheld as containing proprietary information. Accordingly, no privilege log is attached. 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. 36, dated April 10, 2014, provided best-estimate schedules for issuing its review documents prepared in connection with the Application, namely, the final Safety Evaluation Report ("SER") and final Environmental Impact Statement ("EIS"). The schedule for issuing the EIS remains unchanged. As indicated in the letter transmitting Hearing File Update No. 36, the NRC Staff estimates that it will provide a draft EIS to the Environmental Protection Agency ("EPA") in February 2015, and EPA will publish a Notice of Availability of the draft EIS for public comment approximately one week after the Staff issues it. Further, the Staff estimates that it will issue a final EIS in February of 2016. The Staff documented this schedule in a letter to the Applicant dated April 17, 2014. See Letter dated April 17, 2014, to M.K. Nazar, FPL, from F.M. Akstulewicz, NRC (ADAMS Accession Number ML14065A577).

In regard to the SER, the Staff has modified the schedule, as indicated in a letter dated August 26, 2014, to M.K. Nazar, FPL, from F. Akstulewicz, NRC (ADAMS Accession Number ML14177A183). As set forth in the letter, the schedule now provides for the issuance of the Advanced Final SER in January 2016 and the Final SER in October 2016. The Staff will provide the Advanced Final SER to the Advisory Committee on Reactor Safeguards (ACRS) for the Committee's review. The Final SER will include the ACRS report on the proposed plant design.

Respectfully submitted,

/Signed (electronically) by/
Robert M. Weisman
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Enclosures: Attachment 1: Hearing File Index
Attachment 2: Affidavit of Brian Hughes

Attachment 1**Turkey Point COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 41 – September 11, 2014**

	Accession Number	Document Date	Title\Description
41-1	ML14216A601	02/01/2014	TN1251 - Starr, R.C., T.S. Green, and L.C. Hull. 2001. Evaluation of Confining Layer Integrity Beneath the South District Wastewater Treatment Plant, Miami-Dade Water and Sewer Department, Dade County, Florida.
41-2	ML14189A042	08/01/2014	July 1, 2014, Summary of Public Teleconference with Members of the AP1000 Design Center to Discuss AP1000 Licensing and Technical Issues.
41-3	ML14232A050	08/01/2014	Turkey Point, Units 6 & 7 - Combined License Application Environmental Report Supplement, Report 09387652, Assessment of Certain Potential Construction Noise and Vibration Impacts on Threatened and Endangered Aquatic Species.
41-4	ML14205A111	08/04/2014	June 24, 2014, Summary of a Public Teleconference with Members of AP1000 Design Center to Discuss AP1000 Licensing and Technical Issues.
41-5	ML14205A131	08/04/2014	July 10, 2014, Summary of Public a Public Teleconference With Members of AP1000 Design Center To Discuss AP1000 Licensing and Technical Issues
41-6	ML14223B029	08/08/2014	Turkey Point, Units 6 and 7, Revised Pages for FPL Submittal Letter L-2014-152.
41-7	ML14225A080	08/11/2014	Proposed Turkey Point, Units 6 & 7, Marked-up Revised Response to NRC RAI No. 02.05.01-21 (eRAI 6024).
41-8	ML14225A254	08/11/2014	Attachment 2: COLA Revision 5 Highlighted Pages for Subsection 2.5.1 Figure RAIs. Cover - Page 61.
41-9	ML14225A077	08/11/2014	Attachment 1, Mark-ups for the Associated COLA Revisions for 2.5.1 RAIs.
41-10	ML14225A259	08/11/2014	Attachment 3: COLA Revision 5 Highlighted Pages for Subsection 2.5.2 RAIs. Page 94 - Page 213.
41-11	ML14225A260	08/11/2014	Attachment 3: COLA Revision 5 Highlighted Pages for Subsection 2.5.2 RAIs. Page 214 - Attachment 4 Page 26.
41-12	ML14225A258	08/11/2014	Attachment 3: COLA Revision 5 Highlighted Pages for Subsection 2.5.2 RAIs. Cover - Page 93.
41-13	ML14225A257	08/11/2014	Attachment 2: COLA Revision 5 Highlighted Pages for Subsection 2.5.1 Figure RAIs. Page 132 - Page 211.
41-14	ML14225A247	08/11/2014	Attachment 1: COLA Revision 5 Highlighted Pages for Subsection 2.5.1 RAIs. Page 71 - Page 140.

	Accession Number	Document Date	Title\Description
41-15	ML 14225A256	08/11/2014	Attachment 2: COLA Revision 5 Highlighted Pages for Subsection 2.5.1 Figure RAIs. Page 62 - Page 131.
41-16	ML 14225A253	08/11/2014	Attachment 1: COLA Revision 5 Highlighted Pages for Subsection 2.5.1 RAIs. Page 271 - Page 394.
41-17	ML 14240A498	08/11/2014	2014/08/11 Turkey Point COL Hearing - FW: Turkey Point
41-18	ML 14225A244	08/11/2014	Attachment 1: COLA Revision 5 Highlighted Pages for Subsection 2.5.1 RAIs. Cover - Page 70.
41-19	ML 14225A079	08/11/2014	Proposed Turkey Point, Units 6 and 7, Marked-up Revised Response to NRC RAI No. 02-05-01-17 (eRAI 6024).
41-20	ML 14225A242	08/11/2014	Proposed Turkey Point Units 6 and 7 - Submittal of COLA Revision 5 Highlighted Pages for FSAR Subsection 2.5.1, 2.5.2, and 2.5.3 RAIs.
41-21	ML 14225A076	08/11/2014	Proposed Turkey Point, Units 6 and 7 - Submittal of Mark-ups of the Associated COLA Revisions for Subsections 2.5.1, 2.5.2, and 2.5.3 RAIs.
41-22	ML 14225A249	08/11/2014	Attachment 1: COLA Revision 5 Highlighted Pages for Subsection 2.5.1 RAIs. Page 141 - Page 200.
41-23	ML 14225A082	08/11/2014	Proposed Turkey Point, Units 6 and 7, Attachment 2, Mark-ups for the Associated COLA Revisions for 2.5.2 RAIs.
41-24	ML 14225A250	08/11/2014	Attachment 1: COLA Revision 5 Highlighted Pages for Subsection 2.5.1 RAIs. Page 201 - Page 270.
41-25	ML 14225A078	08/11/2014	Proposed Turkey Point, Unit 6 & 7, Marked-up Revised Response to NRC RAI No. 02-05-01-17 (eRAI 6024).
41-26	ML 14240A497	08/12/2014	2014/08/12 Turkey Point COL Hearing - RE: FPL Letter L-2014-260 Dated 08-12-2014: Noise and Vibration Impacts Assessment Report
41-27	ML 14226A013	08/12/2014	Proposed Turkey Point, Units 6 and 7 - Construction Noise and Vibration Aquatic Impacts Assessment Report for the Combined License Application Part 3 - Environmental Report.
41-28	ML 14240A493	08/13/2014	2014/08/13 Turkey Point COL Hearing - RE: Turkey Point
41-29	ML 14240A490	08/15/2014	2014/08/15 Turkey Point COL Hearing - RE: New Fee Estimates through 06/28/2014
41-30	ML 14230A683	08/15/2014	Official Service List Distribution for Safeguards Information and Official Use Only - Security-Related Information, to Update the Distribution.
41-31	ML 14240A485	08/23/2014	2014/08/23 Turkey Point COL Hearing - RE: Turkey Pt 6 & 7-Clarification/additional information needed to complete Ch 12 SE
41-32	ML 14177A183	08/26/2014	Turkey Point, Units 6 and 7 Combined License Application Safety Review Schedule.

	Accession Number	Document Date	Title\Description
41-33	ML14240A506	08/28/2014	2014/08/28 Turkey Point COL Hearing - FW: Discrepancies between proposed FSAR Section 2.5.4 changes (from RAI responses) and changes included in the latest FSAR revision.
41-34	ML14240A504	08/28/2014	2014/08/28 Turkey Point COL Hearing - FW: Turkey Point
41-35	ML14240A508	08/28/2014	2014/08/28 Turkey Point COL Hearing - FW: Different Approaches to resolve RAI COLA Revision concerns

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 BRIAN HUGHES CONCERNING
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. §§ 2.336(d) and 2.1203

I, Brian Hughes, 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 September 5, 2014.

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)

Brian Hughes
Senior Project Manager, Licensing Branch 4
Division of New Reactor Licensing, NRO, NRC
Mail Stop T-6 D-23
Washington, DC 20555-0001
(301) 415-6582
Brian.Hughes@nrc.gov

Executed in Rockville, MD
this 11th day of September, 2014

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 Hearing File Update 41 has been filed through the E-Filing system and has been served upon the following person by e-mail this 11th day of September, 2014:

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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