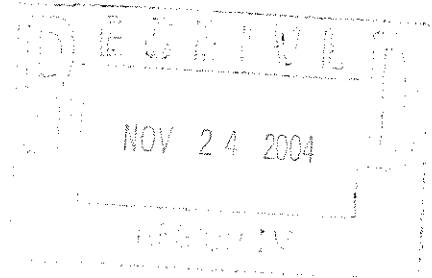




South Texas Project Electric Generating Station P.O. Box 289 Wadsworth, Texas 77483

November 18, 2004  
NOC-AE-04001825  
STI: 31814283

Mr. Bruce S. Mallett  
Regional Administrator, Region IV  
U. S. Nuclear Regulatory Commission  
611 Ryan Plaza Drive, Suite 400  
Arlington, Texas 76011-8064



South Texas Project  
Units 1 & 2  
Docket Nos. STN 50-498; STN 50-499  
Transmittal of Signed Computer Access and Operating Agreement

Reference: Letter from Bruce S. Mallett, Nuclear Regulatory Commission to STP Nuclear Operating Company dated November 11, 2004

The Computer Access and Operating Agreement has been signed by an STP Nuclear Operating Company officer. As requested by the referenced letter a copy of the signed agreement is attached.

If you have any questions, please contact myself at (361) 972-7136 or Mr. Bill Mookhoek at (361) 972-7274.

Scott M. Head  
Manager, Licensing

cc:

(paper copy)

Bruce S. Mallett  
Regional Administrator, Region IV  
U. S. Nuclear Regulatory Commission  
611 Ryan Plaza Drive, Suite 400  
Arlington, Texas 76011-8064

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City of Austin

R. K. Temple  
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## COMPUTER ACCESS AND OPERATING AGREEMENT

This Agreement is made between the NUCLEAR REGULATORY COMMISSION (NRC), and the STP NUCLEAR OPERATING COMPANY (STPNOC) for the purpose of STPNOC voluntarily providing the NRC onsite inspectors access to certain STPNOC electronic computer databases.

*Whereas*, STPNOC desires to enhance access to information regarding the South Texas Project Electric Generating Station, Units 1 and 2 (STPEGS) by voluntarily providing the NRC inspectors access to certain computer hardware, software, and databases owned and controlled by STPNOC that are customarily held in confidence by STPNOC so that NRC inspectors may access data expeditiously and efficiently; and

*Whereas*, STPNOC is willing to make available to the NRC *inspectors* certain computer hardware, software, and databases as appropriate or necessary to provide the NRC inspectors with access to such information, subject to the terms stated below;

*Now, therefore*, in consideration of the covenants and conditions set forth below, the parties mutually agree as follows:

1. At no charge to the NRC, STPNOC will make available to and maintain in the NRC office at the STPEGS a personal computer and related hardware and software necessary for the onsite NRC inspectors to access STPNOC electronic information:
  - a) Basic computer operating system software required for access to the STPNOC local area network (LAN)
  - b) Oracle
  - c) Filenet
  - d) Microsoft Office
  - e) STPNOC Bulletin Boards
  - f) Other information that may become available on the LAN that is mutually agreeable to both parties
2. (a) The software, databases, and associated electronic documents referred to above will be available to the NRC for temporary use only. If the NRC elects to copy or print any of the electronic information it shall destroy such documents as soon as possible, consistent with any legal limitations.  
  
(b) If the NRC desires to rely on a document and therefore, to make it an NRC record, it shall request a copy from STPNOC. This process will allow STPNOC the opportunity to evaluate the document and comply with the marking and affidavit requirements of 10 CFR 2.390.
3. STPNOC acknowledges that all communications that are part of the regulatory process will continue to be accomplished in a manner consistent with the relevant NRC

regulations contained in Title 10 of the Code of Federal Regulations, *i.e.*, in an appropriate format and processed according to the NRC's normal docketing procedures.

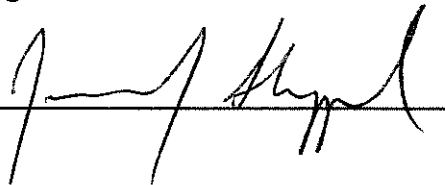
4. The NRC acknowledges that all data residing on or accessible from the STPNOC personal computer voluntarily made available to the NRC *inspector* pursuant to this agreement are "owned" and under the "control" of STPNOC and that no one representing the NRC will have the capability and/or authority to modify, revise, alter or amend any portion of any of the information or the associated software programs to which the NRC staff has on-site access pursuant to this agreement.
5. The NRC agrees to treat such information as confidential to STPNOC and as information that could be withheld from public disclosure under 10 C.F.R. 2.390 if it were an agency record. It is mutually understood that with respect to information to which NRC has access pursuant to this agreement, which has not been received by the NRC in response to a request to STPNOC in accordance with the paragraph numbered 2(b), above, no affidavit is required because the data are not agency records and 10 C.F.R. 2.390 is not applicable. In the event that, contrary to the contemplation of both parties, the documents are determined to be agency records, and in any event, before considering any release by NRC of such STPNOC data and/or information, the NRC will provide STPNOC the opportunity to request that the data and/or information be withheld from public disclosure in accordance with agency regulations, 10 CFR 9.17, and 2.390.
6. This Agreement shall remain in effect from its date of execution by both parties until terminated by either party by giving ten days prior written notice of termination to the other party.

*In witness whereof*, the undersigned have executed this Agreement.

STPNOC

Date:

By: \_\_\_\_\_

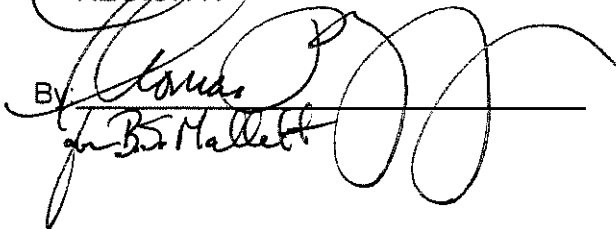


11/15/2004

NUCLEAR REGULATORY COMMISSION  
REGION IV

Date:

By: \_\_\_\_\_



11/8/2004