

July 27, 2006

Mr. James J. Sheppard
President and Chief Executive Officer
STP Nuclear Operating Company
South Texas Project Electric
Generating Station
P. O. Box 289
Wadsworth, TX 77483

SUBJECT: SOUTH TEXAS PROJECT, UNITS 1 AND 2, RE: WITHDRAWAL OF REQUEST
FOR AMENDMENTS (TAC NOS. MC5720 AND MC5721)

Dear Mr. Sheppard:

By letter dated January 20, 2005, STP Nuclear Operating Company (STPNOC) applied for amendments to South Texas Project, Units 1 and 2, Operating Licenses NPF-76 and NPF-80, respectively. The proposed change was to modify the facility technical specifications (TSs) 3/4.8.2 pertaining to "Battery Parameters." Subsequently, by letter dated February 28, 2006, STPNOC submitted a revised application, pursuant to Section 50.90 of Title 10 of the *Code of Federal Regulations*, for proposed changes to TSs 3/4.8.2. In a telephone conversation between Mr. Phillip Walker of your staff and me, it was agreed that the February 28, 2006, application would supercede the January 20, 2005, application and the January 20, 2005, application would be withdrawn.

By letter dated May 25, 2006, we informed you that the U.S. Nuclear Regulatory Commission would consider the proposed application for amendments to be withdrawn unless you notified us by June 9, 2006, that our understanding was incorrect. Since the allotted time has passed and you have not responded, we consider the amendment request withdrawn.

The Commission has filed the enclosed Notice of Withdrawal of Application for Amendments to Facility Operating License with the Office of the Federal Register for publication.

Sincerely,

/RA/
Mohan C. Thadani, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499

Enclosure: Notice of Withdrawal

cc w/encl: See next page

UNITED STATES NUCLEAR REGULATORY COMMISSION
STP NUCLEAR OPERATING COMPANY
DOCKET NOS. 50-498 AND 50-499
NOTICE OF WITHDRAWAL OF APPLICATION
FOR AMENDMENTS TO FACILITY OPERATING LICENSES

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of STP Nuclear Operating Company (the licensee) to withdraw its application for the proposed amendments to Facility Operating License No. NPF-76, to be issued to the licensee for operation of the South Texas Project, Unit 1; and Facility Operating License No. NPF-80, to be issued to South Texas Project, Unit 2; located in Matagorda County, Texas.

The purpose of the licensee's request for amendments was to revise the Technical Specifications (TSs) to change TSs 3/4.8.2.1, "DC Sources – Operating," and TS 3/4.8.2.2, "DC Sources – Shutdown," with the addition of a new TS 3/4.8.2.3, "Battery Parameters," to incorporate actions for responding to "out-of-limit" conditions, and surveillance for verification of battery parameters. The proposed changes would have revised allowed outage times for battery chargers, as well as battery charger testing criteria. Also, the proposed changes would have relocated a number of battery surveillance requirements to a licensee-controlled Battery Monitoring and Maintenance Program.

The Commission had previously issued a Notice of Consideration of Issuance of amendments published in the FEDERAL REGISTER on March 1, 2005 (70 FR 9997). However, by letter dated May 25, 2006, the NRC informed the licensee that the NRC would consider the proposed application for amendments to be withdrawn unless the licensee notified

the NRC by June 9, 2006, that our understanding was incorrect. Thus, the January 20, 2005, application for amendments is considered to be withdrawn by the licensee.

For further details with respect to this action, see (1) the application for amendments dated January 20, 2005, and (2) the NRC staff's letter dated May 25, 2006. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by email to pdr@nrc.gov.

Dated at Rockville, Maryland, this 27th day of July 2006.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Mohan C. Thadani, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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Mohan C. Thadani, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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cc w/encl: See next page

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South Texas Project, Units 1 & 2

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