

October 16, 2007

Mr. Mark McBurnett, Vice President  
Regulatory Affairs  
South Texas Project Nuclear Operating Company  
P.O. Box 289  
Wadsworth, TX 77483

SUBJECT: ACKNOWLEDGMENT OF RECEIPT OF THE COMBINED LICENSE  
APPLICATION FOR SOUTH TEXAS PROJECT, UNITS 3 AND 4, AND  
ASSOCIATED FEDERAL REGISTER NOTICE

Dear Mr. McBurnett:

By letter dated September 20, 2007, you submitted a combined license application (COLA) for two Advanced Boiling Water Reactors (ABWRs) to be located at your South Texas Project Electrical Generating Station in Matagorda County, Texas. These plants are to be designated South Texas Project Units 3 and 4 (STP 3 and 4). You stated that you submitted the COLA pursuant to the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR), Part 52, Subpart C, "Combined Licenses," and that the application incorporates, by reference, the ABWR design approved by the U. S. Nuclear Regulatory Commission (NRC) in Appendix A to 10 CFR Part 52. In addition, you submitted an exemption request from certain requirements of Section IV.A.2 of Appendix A to 10 CFR Part 52, stating that special circumstances exist such that application of some of these requirements would not serve, nor be necessary to achieve, the underlying purpose of the rule.

The NRC staff acknowledges receipt of your application and plans to complete an acceptance review of the application. If the staff finds your application to be acceptable, we will docket the application. The determination on acceptability for docketing will most likely be made within a period of 60 days from the date of receipt of the application. To the extent possible, the staff will communicate with you any issues that arise regarding the acceptance review. In addition, the staff will evaluate your request for exemption from certain requirements of Section IV.A.2 of Appendix A to 10 CFR Part 52, at the same time the staff undertakes the acceptance review and will document the results of its evaluation.

Attached is the notice that will be forwarded to the *Federal Register* to inform the public of receipt and availability of the subject application.

M. McBurnett

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The staff intends to publish a schedule for review of the STP 3 and 4 COLA within 30 days of completion of the acceptance review. If you have any questions, I can be reached at (301) 415-1494 or by email at [gfw@nrc.gov](mailto:gfw@nrc.gov).

Sincerely,

**/RA/**

George F. Wunder, Senior Project Manager  
ABWR/ESBWR Projects Branch 2  
Division of New Reactor Licensing  
Office of New Reactors

Project No. 0749

Enclosure:  
Federal Register Notice

cc w/encl: See next page

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UNITED STATES NUCLEAR REGULATORY COMMISSION  
SOUTH TEXAS PROJECT NUCLEAR OPERATING COMPANY  
NOTICE OF RECEIPT AND AVAILABILITY OF  
APPLICATION FOR A COMBINED LICENSE

On September 20, 2007, South Texas Project Nuclear Operating Company (STPNOC, or the applicant) filed with the Nuclear Regulatory Commission (NRC, the Commission) pursuant to Section 103 of the Atomic Energy Act and 10 CFR Part 52, an application for a combined license (COL) for two Advanced Boiling Water Reactor (ABWR) nuclear power plants at the South Texas Project Electrical Generating Station located in Matagorda County, Texas, and identified as South Texas Project Units 3 and 4.

An applicant may seek a COL in accordance with Subpart C of 10 CFR Part 52. The information submitted by the applicant includes certain administrative information such as financial qualifications submitted pursuant to 10 CFR 50.33, and an agreement to limit access to sensitive information submitted pursuant to 10 CFR 50.37. To support its application, the applicant also requested an exemption from certain requirements of Section IV.A.2 of Appendix A to 10 CFR Part 52, as documented in its September 20, 2007, letter. The NRC will review this exemption request and render its decision as part of the acceptance review of the application.

Subsequent *Federal Register* notices will address the acceptability of the tendered COL application for docketing and provisions for participation of the public in the COL review process.

A copy of the application is available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and via the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. The accession number for the application is ML072830407. Future publicly available documents related to the application will also be posted in ADAMS. Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC Public Document Room staff by telephone at 1-800-397-4209 or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). The application is also available at <http://www.nrc.gov/reactors/new-licensing/col.html>.

Dated at Rockville, Maryland, this 16<sup>th</sup> day of October, 2007.

FOR THE NUCLEAR REGULATORY COMMISSION

**/RA/**

Thomas A. Bergman, Deputy Director for  
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Office of New Reactors

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G:/DNRL/DNRL Mailing List (Revised 9/14/07)