

December 6, 2007

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 - ISSUANCE OF AMENDMENTS  
RE: CLARIFICATION OF TECHNICAL SPECIFICATION 3.7.1.2 (TAC  
NOS. MD4655 AND MD4656)

Dear Mr. Sheppard:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 181 to Facility Operating License No. NPF-76 and Amendment No. 168 to Facility Operating License No. NPF-80 for the South Texas Project, Units 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated February 28, 2007, as supplemented by letter dated May 22, 2007.

The amendments revise the language in TS 3.7.1.2, "Auxiliary Feedwater System," Action b to conform with the licensing basis as established by Amendment Nos. 87 and 74, for Units 1 and 2, respectively, dated May 27, 1997.

A copy of our related Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

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

Enclosures: 1. Amendment No. 181 to NPF-76  
2. Amendment No. 168 to NPF-80  
3. Safety Evaluation

cc w/encls: See next page

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**ADAMS Accession Nos.:** Pkg ML073090295, Amdt./License ML073090302, TS Pgs ML073090304 (\*) See previous concurrence

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OFFICIAL RECORD COPY

South Texas Project, Units 1 & 2

12/5/2007

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South Texas Project, Units 1 and 2

12/5/2007

cc:

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STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-498

SOUTH TEXAS PROJECT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 181  
License No. NPF-76

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by STP Nuclear Operating Company (STPNOC)\* acting on behalf of itself and for NRG South Texas LP, the City Public Service Board of San Antonio (CPS), AEP Texas Central Company, and the City of Austin, Texas (COA) (the licensees), dated February 28, 2007, as supplemented by letter dated May 22, 2007, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

---

\* STPNOC is authorized to act for NRG South Texas LP, the City Public Service Board of San Antonio, AEP Texas Central Company, and the City of Austin, Texas, and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and Paragraph 2.C.(2) of Facility Operating License No. NPF-76 is hereby amended to read as follows:

- (2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 181, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. STPNOC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 60 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Thomas G. Hiltz, Chief  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Facility  
Operating License No. NPF-76  
and the Technical Specifications

Date of Issuance: December 6, 2007

STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-499

SOUTH TEXAS PROJECT, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 168  
License No. NPF-80

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by STP Nuclear Operating Company (STPNOC)\* acting on behalf of itself and for NRG South Texas LP, the City Public Service Board of San Antonio (CPS), AEP Texas Central Company, and the City of Austin, Texas (COA) (the licensees), dated February 28, 2007, as supplemented by letter dated May 22, 2007, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

---

\* STPNOC is authorized to act for NRG South Texas LP, the City Public Service Board of San Antonio, AEP Texas Central Company, and the City of Austin, Texas, and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and Paragraph 2.C.(2) of Facility Operating License No. NPF-80 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 168, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. STPNOC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 60 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Thomas G. Hiltz, Chief  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Facility  
Operating License No. NPF-80  
and the Technical Specifications

Date of Issuance: December 6, 2007



ATTACHMENT TO LICENSE AMENDMENT NOS. 181 AND 168

FACILITY OPERATING LICENSE NOS. NPF-76 AND NPF-80

DOCKET NOS. 50-498 AND 50-499

Replace the following pages of the Facility Operating License Nos. NPF-76 and NPF-80 and Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Facility Operating License No. NPF-76

<u>REMOVE</u>	<u>INSERT</u>
4	4

Facility Operating License No. NPF-80

<u>REMOVE</u>	<u>INSERT</u>
4	4

Technical Specifications

<u>REMOVE</u>	<u>INSERT</u>
3/4 7-4	3/4 7-4

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 181, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. STPNOC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Not Used(4) Initial Startup Test Program (Section 14, SER)\*

Any changes to the Initial Test Program described in Section 14 of the Final Safety Analysis Report made in accordance with the provisions of 10 CFR 50.59 shall be reported in accordance with 50.59(b) within one month of such change.

(5) Safety Parameter Display System (Section 18, SSER No. 4)\*

Before startup after the first refueling outage, HL&P<sup>\*\*</sup> shall perform the necessary activities, provide acceptable responses, and implement all proposed corrective actions related to issues as described in Section 18.2 of SER Supplement 4.

(6) Supplementary Containment Purge Isolation (Section 11.5, SSER No. 4)

HL&P shall provide, prior to startup from the first refueling outage, control room indication of the normal and supplemental containment purge sample line isolation valve position.

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\* The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report and/or its supplements wherein the license condition is discussed.

\*\* The original licensee authorized to possess, use and operate the facility was HL&P. Consequently, historical references to certain obligations of HL&P remain in the license conditions.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 168, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. STPNOC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Not Used

(4) Initial Startup Test Program (Section 14, SR)\*

Any changes to the Initial Test Program described in Section 14 of the Final Safety Analysis Report made in accordance with the provisions of 10 CFR 50.59 shall be reported in accordance with 50.59(b) within one month of such change.

(5) License Transfer

Texas Genco, LP shall provide decommissioning funding assurance, to be held in decommissioning trusts for the South Texas Project, Unit 2 (Unit 2) upon the direct transfer of the Unit 2 license to Texas Genco, LP, in an amount equal to or greater than the balance in the Unit 2 decommissioning trust immediately prior to the transfer. In addition, Texas Genco, LP shall ensure that all contractual arrangements referred to in the application for approval of the transfer of the Unit 2 license to Texas Genco, LP to obtain necessary decommissioning funds for Unit 2 through a non-bypassable charge are executed and will be maintained until the decommissioning trusts are fully funded, or shall ensure that other mechanisms that provide equivalent assurance of decommissioning funding in accordance with the Commission's regulations are maintained.

(6) License Transfer

The master decommissioning trust agreement for Unit 2, at the time the direct transfer of Unit 2 to Texas Genco, LP is effected and thereafter, is subject to the following:

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\* The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report and/or its supplements wherein the license condition is discussed.

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NOS. 181 AND 168 TO

FACILITY OPERATING LICENSE NOS. NPF-76 AND NPF-80

STP NUCLEAR OPERATING COMPANY, ET AL.

SOUTH TEXAS PROJECT, UNITS 1 AND 2

DOCKET NOS. 50-498 AND 50-499

1.0 INTRODUCTION

By application dated February 28, 2007 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML070650314), as supplemented by letter dated May 22, 2007 (ADAMS Accession No. ML071500104), STP Nuclear Operating Company (the licensee), requested changes to the Technical Specifications (TSs) for South Texas Project (STP), Units 1 and 2. The proposed revision would clarify TS 3.7.1.2 Action b, "Auxiliary Feedwater System" allowance for entry into MODE 3 with an inoperable turbine-driven auxiliary feedwater (AFW) pump. The supplement dated May 22, 2007, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on May 22, 2007 (72 FR 28723).

The proposed amendment is an administrative clarification to revise the language of TS 3.7.1.2 Action b to conform with the Licensing Basis established by Amendment Nos. 87 and 74, for Units 1 and 2, respectively, dated May 27, 1997. The proposed revision will change the wording of TS 3.7.1.2 Action b from "MODE 3 may be entered with an inoperable turbine-driven auxiliary feedwater pump for the purposes of performing Surveillance Requirement 4.7.1.2.1.a.2" to "MODE 3 may be entered with an inoperable turbine-driven auxiliary feedwater pump for the purposes of performing post-maintenance testing and Surveillance Requirement 4.7.1.2.1.a.2." This revision is not intended to change plant actions related to post-maintenance and surveillance testing necessary to declare the turbine-driven AFW pump operable.

2.0 REGULATORY EVALUATION

In Part 50, Section 36 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Technical specifications," the Commission established its regulatory requirements related to the content of TS. Pursuant to 10 CFR 50.36, TSs are required to include items in the following five specific categories related to station operations: (1) safety limits, limiting safety system settings, and limiting control settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design features; and (5) administrative controls. The rule does not specify the particular requirements to be included in a plant's TSs. However, the TSs are considered part of the operating license and should conform to the plant-specific Licensing Basis.

### 3.0 TECHNICAL EVALUATION

The current TS 3.7.1.2 Action b required rewording in Amendments 170 and 158, dated January 10, 2005, when TS Task Force (TSTF)-359, "Increased Flexibility in Mode Restraints", via the Consolidated Line Item Improvement Process, was implemented which included the revision of TS 3.0.4. In TS 3.7.1.2 Action b, the wording "The provisions of Specification 3.0.4 are not applicable for entry into Mode 3 for the turbine-driven pump," was replaced with "MODE 3 may be entered with an inoperable turbine-driven auxiliary feedwater pump for the purposes of performing Surveillance Requirement 4.7.2.1.a.2." The revised wording was not consistent with the Licensing Basis established in Amendment Nos. 87 and 74, for Units 1 and 2, respectively, dated May 27, 1997, which states:

"The proposed changes would allow the transition from Mode 4 to Mode 3 with the turbine-driven auxiliary feedwater (AFW) pump inoperable and allow a 72-hour period after the entry into Mode 3 to complete all necessary operability testing. The proposed changes are intended to allow the plant to achieve the secondary temperatures and pressures required to perform the post-maintenance and surveillance testing necessary to declare the turbine-driven AFW pump operable."

To allow for uniformity with the Licensing Basis, the proposed revision will change the wording of TS 3.7.1.2 Action b from "MODE 3 may be entered with an inoperable turbine-driven auxiliary feedwater pump for the purposes of performing Surveillance Requirement 4.7.1.2.1.a.2" to "MODE 3 may be entered with an inoperable turbine-driven auxiliary feedwater pump for the purposes of performing post-maintenance testing and Surveillance Requirement 4.7.1.2.1.a.2." The proposed amendment is an administrative clarification of TS 3.7.1.2 Action b in which this revision does not change plant actions related to post-maintenance and surveillance testing of the turbine-driven AFW pump.

Since the proposed revision does not change plant actions, compliance with the General Design Criteria stated in Standard Review Plan 10.4.9, Auxiliary Feedwater System, is not affected and the margin of safety remains unchanged. In addition, the AFW system at each of the STP units consists of three motor-driven AFW pumps and one steam turbine-driven AFW pump configured into four independent, 100 percent capacity, trains as opposed to three as used in most other Westinghouse designed plants; thus, the STP design does not rely upon the turbine-driven AFW pump for its station blackout (SBO) analysis. Therefore, the requirements of 10 CFR 50.63 as they relate to the AFW's design to withstand or cope with a SBO is unaffected.

### 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the State of Texas official was notified of the proposed issuance of the amendment. The State official had no comments.

## 5.0 ENVIRONMENTAL CONSIDERATION

The amendments change a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendments involve no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding published on May 22, 2007 (72 FR 28723). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

## 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

## 7.0 REFERENCES

1. STP letter NOC-AE-07002113, "Proposed Change to Technical Specification 3.7.1.2, Auxiliary Feedwater System," dated February 28, 2007, ADAMS Accession No. ML070650314.
2. STP letter NOC-AE-07002153, "Proposed Change to Technical Specification 3.7.1.2, Auxiliary Feedwater System," dated May 22, 2007, ADAMS Accession No. ML071500104.
3. "Safety Evaluation by the Office of Nuclear Reactor Regulation Related to Amendment Nos. 87 and 74 to Facility Operating License Nos. NPF-76 and NPF-80 Houston Lighting & Power Company Docket Nos. 50-498 and 50-499," dated May 27, 1997.
4. "Safety Evaluation by the Office of Nuclear Reactor Regulation Related to Amendment Nos. 170 and 158 to Facility Operating License Nos. NPF-76 and NPF-80 STP Nuclear Operating Company Docket Nos. 50-498 and 50-499," dated January 10, 2005, ADAMS Accession No. ML050130272.
5. NUREG-1431, "Westinghouse Plants, Revision 3, Standard Technical Specifications (STS)," March 31, 2004.

Principal Contributor: John T. Budzynski

Date: December 6, 2007