

From: George Wunder
To: <STP_COL@nrc.gov>
Date: 2/28/2008 1:48:50 PM
Subject: Fwd: cover letter

>>> "McBurnett, Mark" <marcburnett@STPEGS.COM> 09/27/2007 2:27 PM >>>
George, the first one is the COLA cover letter. The second one is a
copy of the letter I just signed transmitting the SGI disk.

Mark

Hearing Identifier: SouthTexas34Public
Email Number: 59

Mail Envelope Properties (47C6C536.HQGWDO01.TWGWPO02.200.2000008.1.2A1DBE.1)

Subject: Fwd: cover letter
Creation Date: 2/28/2008 1:48:50 PM
From: George Wunder

Created By: GFW@nrc.gov

Recipients
<STP_COL@nrc.gov>

Post Office
TWGWPO02.HQGWDO01

Route
nrc.gov

Files	Size
MESSAGE	223
McBurnett to US NRC ABR-AE-07000004.pdf	
2/28/2008 2:29:10 PM	
McBurnett to NRC STI-32212039.pdf	
2:29:10 PM	

Date & Time
2/28/2008 1:48:50 PM
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Options
Priority: Standard
Reply Requested: No
Return Notification: None
None

Concealed Subject: No
Security: Standard



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

September 20, 2007
ABR-AE-07000004
10 CFR 52

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

South Texas Project
Units 3 and 4
Docket No. PROJ0749
Combined License Application

The STP Nuclear Operating Company (STPNOC) submits the enclosed combined license application (COLA) pursuant to 10 CFR Part 52. In addition, we are requesting special nuclear material licenses, by-product licenses, and source material licenses as required under 10 CFR Parts 30, 40, and 70.

The South Texas Project Units 3 and 4 COLA is for two Advanced Boiling Water Reactors (ABWRs) at our existing site in Matagorda County, Texas. The new units will be designated as STP Units 3 and 4 (STP 3 & 4).

This application is being submitted by STPNOC on behalf of itself and the owners of STP 3 & 4: NRG South Texas 3 LLC; NRG South Texas 4 LLC; and the City of San Antonio, Texas, acting by and through the City Public Service Board (CPS Energy).

Application

This application incorporates by reference the ABWR design certification rule in Appendix A to 10 CFR Part 52. Once approved, this application will constitute the reference COL (R-COL) application for the ABWR, in accordance with NRC Regulatory Issue Summary (RIS) 2006-06. As such, the applicable parts of this COLA identify "standard" provisions that are appropriate for use by any future COLA that references the ABWR design certification.

The STP 3 & 4 COLA is based on the standard ABWR design approved in 1997 by the NRC in Appendix A to 10 CFR Part 52. The application references Revision 4 of the ABWR Design Control Document (DCD), which is the revision incorporated in Appendix A to 10 CFR Part 52.

The reference ABWR DCD commonly refers to the General Electric Company, General Electric, GE, GE Nuclear Energy, and GE Energy as the owner of the certified ABWR design. Subsequent to the ABWR design certification, in July of 2007, General Electric Nuclear Energy and Hitachi formed a strategic alliance to consolidate their nuclear engineering divisions. This new entity is titled General Electric-Hitachi and is represented by the acronym GEH. The COLA does not reflect the updated General Electric-Hitachi (GEH) nomenclature. Any use of the above designations for General Electric Nuclear Energy within this COLA implies the new General Electric-Hitachi.

To the extent practical, STPNOC has used NRC guidance in Regulatory Guide (RG) 1.206, NUREG-1555, and NUREG-0800 to prepare the application. In a number of sections, we have used Nuclear Energy Institute (NEI) templates to address issues such as Quality Assurance, Security, and Radiation Protection. Recognizing that some of these NEI templates are still undergoing NRC review and approval, STPNOC commits to adopt the final NRC-approved versions and include them in subsequent revisions of the COLA.

Please note that GEH has submitted several Licensing Topical Reports (LTRs) over the past year that support our request for exemption and departures from the ABWR DCD and that address COL License Information Items in the DCD. We have incorporated by reference from these LTRs. As NRC Requests for Additional Information (RAIs) are evaluated, GEH may revise some of these LTRs. We intend to update the COLA, as appropriate, in subsequent revisions to reference future LTR revisions. We also understand that GEH will submit a request to amend the ABWR design certification. It is anticipated that the substance of the design certification amendment request will be based upon the GEH LTRs and the DCD standard departures identified in COLA Part 2.

We have made every effort to minimize departures from Tier 1 and Tier 2* material in the DCD, only making changes to those items necessary to address either obsolescence or errors, necessary to address site-specific issues, appropriate to improve safety and reliability, or that represent significant advances in the design that are important to achieving a viable reference plant.

The STP 3 & 4 COLA is organized as follows:

- Part 1 is General and Financial Information.
- Part 2 is the plant-specific DCD, which (1) identifies exemptions from Tier 1 of the ABWR DCD, and (2) contains the Final Safety Analysis Report (FSAR), which identifies departures from Tier 2 of the DCD and provides site-specific information. Section 1.1, Introduction, of the FSAR explains the COLA format in detail.
- Part 3 is the Environmental Report.
- Part 4 is a complete version of the Technical Specifications.
- Part 5 is the Emergency Plan.
- Part 6 is a placeholder for the Site Redress Plan in the event that STPNOC decides to request a limited work authorization in accordance with 10 CFR 50.10.
- Part 7 is a summary of the exemptions to and departures from the ABWR DCD.
- Part 8 references the Physical Security Plan, the Training and Qualification Plan, and the Safeguards Contingency Plan, all of which are being submitted under a separate cover.
- Part 9 is the Inspections, Tests, Analyses and Acceptance Criteria (ITAAC).
- Part 10 is Revision 4 of the ABWR DCD.

This letter contains the following provided electronically:

- Attachment 1 provides the affidavits in support of the requests for withholding proprietary information on behalf of NRG and GEH. These affidavits request that proprietary information be withheld from public disclosure in accordance with 10 CFR 2.390.

- Attachment 2 provides a request for exemption from 10 CFR Part 52 as discussed below.
- Attachment 3 provides a complete listing of commitments that STPNOC is making as part of the COLA.
- Attachment 4 is a summary of the preflight evaluation performed for each PDF file submitted in COLA Parts 1 through 9.
- Attachment 5 is the STP 3 & 4 Quality Assurance Program Description, Rev. 1.
- Attachment 6 provides draft language intended to facilitate NRC preparation of the Environmental Protection Plan (Nonradiological).
- Attachment 7 provides three years of STP site meteorological data as specified by RG 1.206, Section 2.3.3.
- Attachment 8 is the STP Units 1 and 2 Radioactive Waste Process Control Program, as committed to in FSAR Subsection 11.4.3 of the COLA.
- Two DVDs which contain the electronic application:
 - The first DVD, "Public Version," contains a complete non-proprietary/non-security-sensitive version of the STP 3 & 4 COLA suitable for public disclosure. The non-proprietary (public) version of the ABWR DCD was previously submitted and is docketed on ADAMS. COLA Part 10 contains a small file referencing the Accession number of the public version of this document.
 - The second DVD, "Proprietary Version," contains a complete STP 3 & 4 COLA with proprietary and security-sensitive information included. Please note that COLA Part 8 is the Physical Security Plan, the Training and Qualification Plan, and the Safeguards Contingency Plan. These Safeguards Information documents are being submitted under separate cover. Similarly, note that COLA Part 10 is a proprietary/security-sensitive version of the verified certified ABWR DCD. This electronic version of the DCD was recently provided to the NRC by GEH.
 - Both DVDs have been prepared in compliance with the NRC Guidance for Electronic Submissions to the NRC (June 6, 2007). The DVDs contain the COLA and DCD in PDF format. All preflight checks have been successfully performed on the PDF files for COLA Parts 1 through 9 and the evaluations are summarized in Attachment 4. Each DVD contains a packing slip explaining the contents.

STPNOC will periodically revise the COLA, as appropriate, to incorporate changes to account for feedback from NRC review. STPNOC anticipates that these revisions will occur at least once per year, beginning in January 2008.

Exemption

STPNOC is requesting an exemption from Appendix A.IV.A.2.a to 10 CFR Part 52, which requires that the plant-specific DCD contain the same organization and numbering as the generic ABWR DCD. The generic ABWR DCD included a Question and Response Guide in Tier 2 Chapter 20. We do not believe there is value in incorporating and updating this historical information as part of this application. This exemption request is described in more detail and justified in Attachment 2 to this letter.

Limited Work Authorization

STPNOC is not requesting a Limited Work Authorization (LWA) at this time and consequently has not included COLA Part 6, "Site Redress Plan," as part of this application. However, depending on the NRC COLA review project-schedule, STPNOC may at a later date seek an LWA pursuant to 10 CFR 50.10(d) to perform construction activities defined under 10 CFR 50.10(a)(1).

Conclusion

Our goal is to ensure that the NRC has all the information it needs to approve this application. We are scheduled to meet with the NRC staff in October to explain in more detail how our application is organized and to answer any initial questions.

If you require any additional information, please contact our Manager of Regulatory Affairs for STP Units 3 and 4, Gregory T. Gibson, at (361) 972-4626, who will continue to be the point of contact for licensing matters.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on Sept 20, 2007



M. A. McBurnett
Vice-President,
Oversight & Regulatory Affairs
STP Units 3 & 4

Attachments: As Stated

cc: w/o attachments except *
(hard copy)

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11555 Rockville Pike
Rockville, MD 20852-2738

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Steve Frantz, Esquire
Morgan, Lewis & Bockius LLP

Thad Hill
Eddy Daniels
Marty Ryan
Harry Holloway
Steve Winn
NRG South Texas LP

L. D. Blaylock
J. J. Nesrsta
R. K. Temple
CPS Energy

Jon C. Wood
Cox Smith Matthews

C. Kirksey
City of Austin

SAFEGUARDS INFORMATION

September 26, 2007
ABR-AE-07000006
STI: 32212039

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

ATTACHMENTS CONTAIN
SAFEGUARDS INFORMATION
UPON SEPARATION THIS
PAGE IS DECONTROLLED

South Texas Project
Units 3 and 4, PROJ074
Submittal of Combined License Application Part 8

Reference: Letter, M. A. McBurnett to Document Control Desk, "Submittal of Combined License Application," September 20, 2007, ABR-AE-07000004

The referenced letter submitted the combined license application for South Texas Project Units 3 & 4. This letter submits an electronic copy of the "Safeguards Information" Part 8 of the application and should be considered as part of the referenced letter. The enclosed CD-ROM contains a copy of this submittal letter and the following attachments:

- Attachment 1, South Texas Project Physical Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Rev. 0 (Safeguards Information)

The CD-ROM enclosure to this letter contains safeguards information and should be withheld from public disclosure in accordance with 10 CFR 73.21.

There are no commitments in this letter.

If there are any questions regarding this submittal, please contact me at (361) 972-7206 or Fred Puleo at (361) 972-8697.



Mark McBurnett
Vice President,
Oversight & Regulatory Affairs

fjp

Enclosure: CD-ROM – Combined License Application Part 8 Submittal (Safeguards Information)

SAFEGUARDS INFORMATION

ATTACHMENTS CONTAIN
SAFEGUARDS INFORMATION
UPON SEPARATION THIS
PAGE IS DECONTROLLED

cc: w/o attachments
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