

February 13, 2009

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

SUBJECT: SOUTH TEXAS PROJECT UNITS 3 AND 4 - OPPORTUNITY TO PETITION FOR
LEAVE TO INTERVENE AND ORDER IMPOSING PROCEDURES FOR ACCESS
TO SENSITIVE UNCLASSIFIED NON-SAFEGUARDS INFORMATION AND
SAFEGUARDS INFORMATION FOR CONTENTION PREPARATION

Dear Mr. McBurnett:

By letter dated November 29, 2007, the U.S. Nuclear Regulatory Commission (NRC) informed you that we had docketed your combined license application for South Texas Project Units 3 and 4. In that letter we informed you that a notice would be published, in accordance with the provisions of Title 10 of the *Code of Federal Regulations*, Part 2, Section 2.104, regarding the opportunity to file a petition for leave to intervene in the hearing required for this application. By letter dated December 19, 2008, the NRC informed you of the issuance of the *Federal Register* Notice regarding opportunity to file a petition for leave to intervene in the hearing required for this application. By Order dated February 13, 2008, the Commission issued an Order withdrawing that Hearing Notice.

Enclosed is a copy of a new notice. This notice is being forwarded to the Office of the Federal Register for publication. Should you have any questions, I can be reached at (301) 415-1494 or George.Wunder@nrc.gov.

Sincerely,

/RA/

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

Docket Nos. 52-012
52-013

Enclosure:
Federal Register Notice

cc w/encl: See next page

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