August 3, 2009

Mr. Scott Head, Manager
Regulatory Affairs
STP Nuclear Operating Company
P. O. Box 289
Wadsworth, TX 77483

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION LETTER NO. 179 RELATED TO SRP SECTION 03.06.01 FOR THE SOUTH TEXAS PROJECT COMBINED LICENSE APPLICATION

Dear Mr. Head:

By letter dated September 20, 2007, STP Nuclear Operating Company (STP) submitted for approval a combined license application pursuant to 10 CFR Part 52. The U.S. Nuclear Regulatory Commission (NRC) staff is performing a detailed review of this application to enable the staff to reach a conclusion on the safety of the proposed application.

The NRC staff has identified that additional information is needed to continue portions of the review. The staff's request for additional information (RAI) is contained in the enclosure to this letter.

To support the review schedule, you are requested to respond within 30 days of the date of this letter. If changes are needed to the safety analysis report, the staff requests that the RAI response include the proposed wording changes.

If you have any questions or comments concerning this matter, I can be reached at 301-415-8484 or by e-mail at Tom.Tai@nrc.gov or you may contact George Wunder at 301-415-1494 or George.Wunder@nrc.gov.

Sincerely,

/RA/

Tom M. Tai, Senior Project Manager
ABWR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket Nos. 52-012
52-013

eRAI Tracking No. 3209

Enclosure:
Request for Additional Information

cc: William Mookhoek
John Price

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DATE	6/24/09	6/24/09	6/24/09	7/22/09	7/22/09

***Approval captured electronically in the electronic RAI system.**
OFFICIAL RECORD COPY

Request for Additional Information No. 3209 Revision 2

7/30/2009

South Texas Project Units 3 and 4
South Texas Project Nuclear Operating Co
Docket No. 52-012 and 52-013
SRP Section: 03.06.01 - Plant Design for Protection Against Postulated Piping Failures in Fluid Systems Outside Containment
Application Section: 3.6.1 and 3.6.2

QUESTIONS for Balance of Plant Branch 1 (AP1000/EPR Projects) (SBPA)

03.06.01-2

This is the supplemental RAI for RAI 129, 03.06.01-1

In the response to (E-RAI 129) RAI 03.06.01-1, the applicant stated:

> ITAAC 3.3 Item 2 requires inspections of both the Pipe Break Analysis Report and the as-built high and moderate energy pipe break mitigation features (including spatial separation), but the acceptance criteria do not specify that the Pipe Break Analysis Report will be made available for staff review prior to installation. It is expected that all design-related ITAAC will be scheduled following completion of the applicable design documents and early in the construction phase. Section 3.6.5.1 of the COLA will be revised to commit to notifying the NRC staff of the availability of the Pipe Break Hazards Analysis Report(s) prior to installation of affected systems or components. The necessary details of that information will be provided in the next COLA revision occurring beyond three months after completion of the Pipe Break Analysis Report(s).
>
> Section 3.6.5.1 will be revised to add the following paragraph at the end of the section:
>
> “The NRC staff will be notified of the availability of the-design Pipe Break Hazards Analysis Report(s) prior to installation of affected systems or components. The necessary details of that information will be provided in the next COLA revision occurring beyond three months after completion of the Pipe Break Analysis Report(s)."

The staff found this response insufficient. ITAAC 3.3 Item 2 only addresses the as-build aspect of the Pipe Break Analysis Report and not the as-designed. Additionally, Section 3.6.5.1 of the reference ABWR DCD refers to Section 3.6.2.5 and states that the details of the pipe break analysis results and protection methods shall be provided by the COL applicant for the operating license review.

10 CFR 52.79(d)(3) states that the final safety analysis report must demonstrate that all requirements and restrictions set forth in the referenced design certification rule, other than those imposed under 10 CFR Part 50.36b, must be satisfied by the date of issuance of the combined license. Any requirements and restrictions set forth in the referenced design certification rule that could not be satisfied by the time of issuance of the combined license, must be set forth as terms or conditions of the combined license.

The applicant is therefore, requested to complete and submit the as-designed Pipe Break Analysis Report within the COL review phase; or to propose a site-specific ITAAC to address the as-designed Pipe Break Analysis Report with a license condition that provides a description pertaining to the closure schedule of the report; or an acceptable alternative.