

PMSTPCOL PEmails

From: Muir, Jessie
Sent: Wednesday, December 02, 2009 8:42 AM
To: Diediker, Nona H; Miller, Beverly M
Cc: STPCOL; Lopas, Sarah
Subject: FW: Water at Alternate Sites
Attachments: U7-C-STP-NRC-090214.pdf

Please upload to EARRTH and distribute to your team. I'll add this to Appendix C once it is docketed and gets an ML#.

Thanks,
Jessie

From: Flanders, Scott
Sent: Tuesday, December 01, 2009 6:01 PM
To: Muir, Jessie; Chokshi, Nilesh; Whited, Ryan; Lopas, Sarah; Kugler, Andrew
Subject: FW: Water at Alternate Sites

FYI

From: McBurnett, Mark [mailto:mamcburnett@STPEGS.COM]
Sent: Monday, November 30, 2009 6:18 PM
To: Flanders, Scott
Subject: Water at Alternate Sites

Scott, we signed the attached letter today in regard to the water rights as we discussed a few weeks ago.

Mark

Hearing Identifier: SouthTexas34Public_EX
Email Number: 1951

Mail Envelope Properties (9C2386A0C0BC584684916F7A0482B6CA0588C545B6)

Subject: FW: Water at Alternate Sites
Sent Date: 12/2/2009 8:42:22 AM
Received Date: 12/2/2009 8:42:24 AM
From: Muir, Jessie

Created By: Jessie.Muir@nrc.gov

Recipients:

"STPCOL" <STP.COL@nrc.gov>
Tracking Status: None
"Lopas, Sarah" <Sarah.Lopas@nrc.gov>
Tracking Status: None
"Diediker, Nona H" <nona.diediker@pnl.gov>
Tracking Status: None
"Miller, Beverly M" <Beverly.Miller@pnl.gov>
Tracking Status: None

Post Office: HQCLSTR02.nrc.gov

Files	Size	Date & Time
MESSAGE	646	12/2/2009 8:42:24 AM
U7-C-STP-NRC-090214.pdf	685823	

Options

Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:



South Texas Project Electric Generating Station 4000 Avenue F – Suite A Bay City, Texas 77414

November 30, 2009
U7-C-STP-NRC-090214

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 Nos. 52-012 and 52-013
Response to Request for Additional Information

Reference: Letter, Scott Head to NRC, “Response to Request for Additional Information”, dated October 27, 2009 (ML093060175).

STP Nuclear Operating Company (STPNOC) previously submitted a response to Request for Additional Information Number ER 09.03.02-08 (Reference Letter) in which we addressed the issue of whether there is “reasonable assurance” that water use permits could be obtained for the sites evaluated as alternatives to the STP site in COLA Part 3, Section 9.3. The Full Text (Supporting Information) under Item B of the RAI cited a discussion between the NRC and the Texas Commission on Environmental Quality (TCEQ) where the TCEQ suggested that obtaining water use permits for two of the alternative sites would be difficult. In our response under Item B, we pointed out that the siting study assumed that it would be necessary to purchase existing water rights from current holders of water use permits for industrial, irrigation and mining uses, and that, while obtaining State approval of the transfer of these water use permit(s) could be difficult, there is no legal impediment to this objective and a defined process exists to accomplish it. We also suggested that pursuit of this process is beyond the scope of the “reconnaissance data standard” reflected in Regulatory Guide 4.7.

STPNOC recently consulted with the TCEQ to confirm our position that, based on the information currently available, there is “reasonable assurance” that State approval for the transfer of water use permits could be obtained for each of the alternative sites. TCEQ

acknowledged that it could be both costly and difficult to obtain the necessary water rights and associated water use permits, but there is no legal basis to preclude STPNOC from doing so. STPNOC believes that this consultation satisfies the “reasonable assurance” requirement that permits can be obtained for the quantities of water needed at these sites.

There are no commitments in this letter

If you have any questions, please feel free to contact me at (361) 972-7136, or Russell W. Kiesling at (361)-972-4716.

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

Executed on 11/30/09



Scott Head
Manager, Regulatory Affairs
South Texas Project, Units 3 & 4

sad

cc: w/o attachment except*
(paper copy)

(electronic copy)

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