

January 4, 2010

Michael M. Gibson, Chair  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Gary S. Arnold  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Randall J. Charbeneau  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

In the Matter of  
STP Nuclear Operating Company  
(South Texas Project, Units 3 & 4)  
Docket Nos. 52-012 and 52-013

Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.336(b) and (c), 10 C.F.R. § 2.1203, and the Licensing Board's Initial Scheduling Order of October 20, 2009, the Staff herein provides to the Licensing Board and the Parties an index containing information required to be disclosed by the Staff. The index contains the ADAMS accession number, date, and title of each item so as to make the item readily retrievable from the agency's website, [www.nrc.gov](http://www.nrc.gov), using the ADAMS "Find" function. Additionally, within a few days of this notification, the Staff will have created a separate folder in the agency's Electronic Hearing Docket ("EHD") associated with this proceeding, entitled "South Texas Project Hearing File." Also attached, as required by 10 C.F.R. § 2.336(c), is the Affidavit of George Wunder.

Further, in accordance with the Initial Scheduling Order, the Staff herein produces a list identifying all documents withheld as proprietary, security-related, or Safeguards Information. The Staff shall preserve and maintain all privileged and/or otherwise protected documents during the pendency of this proceeding.

Respectfully submitted,

**/signed (electronically) by/**  
Michael A. Spencer  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, DC 20555-0001  
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Enclosures: Attachment 1: Hearing File Index  
Attachment 2: List of Documents Withheld  
Attachment 3: Affidavit of George Wunder

**Attachment 1**

**South Texas Project COL Hearing File and Mandatory Disclosures  
Hearing File Index  
Updated 3 – January 4, 2010**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
3-1	ML093210326	02/28/2006	Power Frequency Electromagnetic Fields, Melatonin and the Risk of Breast Cancer.
3-2	ML093200641	04/06/2009	Brazos Bend State Park, TX.
3-3	ML093430302	09/16/2009	South Texas Project, Units 3 & 4 - Response to Request for Supplemental ER Schedule.
3-4	ML093210232	10/28/2009	Ltr from STPNOC to US Army Corps re: Permit Determination 10/28/2009.
3-5	ML093430299	10/29/2009	South Texas Project, Units 3 and 4 - Responses to Requests for Additional Information Ltr. 217, Related to COLA Part 2, Tier 2, Section 2.3S, "Meteorology;" 277, Related to COLA Part 2, Tier 2, Section 8.2, "Offsite Power Systems;" 276, Relate...
3-6	ML093430301	10/29/2009	South Texas Project, Units 3 and 4 - Response to Request for Additional Information to letter numbers 278 and 225 Related to Combined License Application (COLA) Part 2, Tier 2, Sections 9.5 and 17.5, Respectively.
3-7	ML093430303	10/29/2009	South Texas Project, Units 3 & 4 - Supplemental Response to Request for Additional Information to Letter Numbers 198 and 205, Related to Combined License Application (COLA) Part 2, Tier 2, Sections 11.2 and 11.5 .
3-8	ML093200639	11/09/2009	NEP Assist Water Dischargers Results Surrounding Wallis, Texas.
3-9	ML093200638	11/10/2009	EPA Facility Emissions Report 2002 - Criteria Air Pollutants, Fort Bend County, Texas.
3-10	ML093200640	11/10/2009	Stephen F. Austin State Park, TX.
3-11	ML093210227	11/10/2009	Ltr from US Army Corps Galveston District to STPNOC re: Permit Determination 11/10/09.
3-12	ML093210221	11/13/2009	Ltr from TPWD to NRC re: STPNOC Alternative Sites.
3-13	ML093220188	11/16/2009	South Texas Project, Units 3 & 4, Supplemental Response to Requests for Additional Information (RAI) Letter Numbers 198 and 205, Related to Combined License Application (COLA) Part 2, Tier 2, Sections 11.2 and 11.5.

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
3-14	ML093230142	11/16/2009	South Texas Project, Units 3 & 4, Response to Request for Additional Information (RAI) Letter Number 229 Related to Combined License Application (COLA) Part 2, Tier 2, Sections 4.4, 6.3, 15.0, 15.1, 15.2, and 15.4.
3-15	ML093230143	11/16/2009	South Texas Project, Unit 3 & 4, Request for a Limited Work Authorization for Installation of Crane Foundation Retaining Walls.
3-16	ML093480599	11/16/2009	2009/11/16 STP COL - RE: Status Telecon for Chapter 6
3-17	ML093080080	11/17/2009	South Texas Project Units 3 & 4 Response to Inspection Findings in Inspection Report 05200012/2009-202 and 05200013/2009-202.
3-18	ML093210039	11/17/2009	Request for Additional Information Letter No. 289 Related to SRP Section 03.07.03 for the South Texas Project Combined License Application.
3-19	ML093480572	11/17/2009	2009/11/17 STP COL - New STP Chp 19 RAI
3-20	ML093480598	11/17/2009	2009/11/17 STP COL - Please Resend STP Letters
3-21	ML093490119	11/17/2009	2009/11/17 STP COL - RAI 04.04-2 Call at 4 PM , EST on Wednesday
3-22	ML093220203	11/18/2009	Request for Additional Information Letter No. 290 Related To SRP Section 03.03 For The South Texas Project Combined License Application.
3-23	ML093270046	11/18/2009	South Texas Project, Units 3 and 4, Response to Request for Additional Information Letter 283, Related to COLA Part 2, Tier 2, Section 8.2, "Office Power Systems."
3-24	ML093210218	11/19/2009	12/02/2009 - Notice of Closed Meeting with South Texas Project Nuclear Operating Company on the Emergency Core Cooling Suction Strainers.
3-25	ML093210233	11/19/2009	12/03/2009 - Notice of Closed Meeting with South Texas Project Nuclear Operating Company on the Containment Confirmatory Analysis.
3-26	ML093230566	11/19/2009	Request For Additional Information Letter No. 232 Related to SRP Section 06.02.02 for the South Texas Project Combined License Application.
3-27	ML093230686	11/19/2009	Request for Additional Information Letter No. 291 Related To SRP Sections 12.02, 12.03-12.04 and 12.05 for the South Texas Project Combined License Application.

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
3-28	ML0933270045	11/19/2009	South Texas Project, Units 3 and 4, Response to Request for Additional Information Letter 229 Related to COLA Part 2, Tier 2, Sections 4.4, 6.3, 15.0, 15.1, 15.2 and 15.4.
3-29	ML093270047	11/19/2009	South Texas Project, Units 3 and 4 - Response to Request for Additional Information Letter Number 157 Related to Combined License Application Part 2, Tier 2, Section 3.7.
3-30	ML093490117	11/19/2009	2009/11/19 STP COL - RAI Response
3-31	ML093490228	11/19/2009	2009/11/19 STP COL - Weekly Calls
3-32	ML093490178	11/20/2009	2009/11/20 STP COL - Chapter 3 RAI Status and Actions
3-33	ML093280134	11/23/2009	Request for Additional Information Letter No. 233 Related To SRP Section 2.3 And 2.5 For The South Texas Project Combined License Application.
3-34	ML093310296	11/23/2009	South Texas Project, Unit 3 & 4, Response to Request for Additional Information Regarding Previously Submitted Proposed Changes to COLA Part 3, Environmental Report which Included Supplemental Information in Section 5.4, Among Others.
3-35	ML093310387	11/23/2009	South Texas Project, Units 3 & 4, RAI 02.04.12-28, Supplement 1, Table 2.4S.12-14 thur RAI 02.04.12-28, Pages 42 through 88 of 148.
3-36	ML093310388	11/23/2009	South Texas Project, Units 3 & 4, RAI 02.04.12-28, Supplement 1, Environmental Report Section 2.3.1 Tables and Figures, Pages 65 through 85 of 148.
3-37	ML093310389	11/23/2009	South Texas Project, Units 3 & 4, RAI 02.04.12-28, Supplement 1, Table 2.3.1-21 thur RAI 02.04.12-28, Pages 89 through 115 of 148.
3-38	ML093310392	11/23/2009	South Texas Project, Units 3 & 4 - Supplemental Response to Request for Additional Information, (RAI) Letter Number 202, Related to COLA Part 2, Tier 2, Section 2.4S.12, "Groundwater".
3-39	ML093310393	11/23/2009	South Texas Project, Units 3 & 4, RAI 02.04.12-28, Supplement 1, FSAR Section 2.4S.12, Table and Figures, Pages 15 through 41 of 148.
3-40	ML093310394	11/23/2009	South Texas Project, Units 3 & 4, RAI 02.04.12-28, Supplement 1, FSAR Section 2.4S.13 Tables and Figures, Pages 116 through 148 of 148.

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
3-41	ML093480570	11/23/2009	2009/11/23 STP COL - New STP Chp 12 RAIs
3-42	ML093480574	11/23/2009	2009/11/23 STP COL - DRAFT RAI Section 5.2
3-43	ML093480595	11/23/2009	2009/11/23 STP COL - STP Chapter 16 RAI Status.xls
3-44	ML093480597	11/23/2009	2009/11/23 STP COL - FW: Request For Additional Information Letter No. 232 Related To SRP Section 06.02.02 For the South Texas Project Combined License Application
3-45	ML093490113	11/23/2009	2009/11/23 STP COL - RE: Chapter 8 Draft RAI 4017
3-46	ML093490116	11/23/2009	2009/11/23 STP COL - Chapter 8 Draft RAI 4017
3-47	ML093340072	11/24/2009	South Texas Project, Units 3 & 4, Response to Request for Additional Information Letter Number 182 Related to Combined License Application Part 2, Tier 2, Chapter 14, Initial Test Program.
3-48	ML093480568	11/24/2009	2009/11/24 STP COL - RE: Phone call for draft RAI 3999
3-49	ML093480569	11/24/2009	2009/11/24 STP COL - STP CHPB Chapter 12 RAI Status Matrix
3-50	ML093490232	11/24/2009	2009/11/24 STP COL - Questions for Dec 2 Suction Strainers Meeting
3-51	ML093000244	11/25/2009	Receipt and Review Schedule for "Post LOCA Suppression Pool Swell Analysis for ABWR Containment Design."
3-52	ML093480594	11/25/2009	2009/11/25 STP COL - DRAFT RAIs Related to SRP Chapter 16
3-53	ML093490231	11/25/2009	2009/11/25 STP COL - Meeting Agendas
3-54	ML093340421	11/30/2009	Request for Additional Information Letter 234 Related To SRP Section 05.02.03 For The South Texas Project Combined License Application.
3-55	ML093360204	11/30/2009	South Texas Project, Units 3 & 4 - Revised Response to Request for Additional Information Letter 223 re COLA, Part 2, Tier 2, Chapter 15.
3-56	ML093360349	11/30/2009	South Texas Project, Units 3 & 4 - Groundwater Model Development & Analysis, Drawing Figures 55 through 101, Attachment 2.

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
3-57	ML0933360350	11/30/2009	South Texas Project, Units 3 & 4 - Supplement Response to Request for Additional Information (RAI) Letter Number 202, Related to COLA Part 2, Tier 2, Section 2.4S.12, "Groundwater".
3-58	ML0933360355	11/30/2009	South Texas Project, Units 3 & 4 - Groundwater Model Development and Analysis, Table of Contents, Pages 131 through 177, Attachment 2.
3-59	ML0933370158	11/30/2009	South Texas Project, Units 3 & 4 - Response to Request for Additional Information re COLA Part 3 Environmental Report Section 9.3, Alternate Site Analysis.
3-60	ML0933380310	11/30/2009	South Texas Project, Units 3 and 4 - Response to Request for Additional Information Number ER 09.03.02-08 Addressing Issue of Whether There is "Reasonable Assurance" that Water use Permits Could be Obtained for Sites Evaluated as Alternatives to STP...
3-61	ML093490111	11/30/2009	2009/11/30 STP COL - U7-C-STP-NRC-090213
3-62	ML093490182	11/30/2009	2009/11/30 STP COL - STP - Draft RAI 4045 03.08.01-xx
3-63	ML093490188	11/30/2009	2009/11/30 STP COL - Transmittal of U7-C-STP-NRC-090214
3-64	ML093490191	11/30/2009	2009/11/30 STP COL - Transmittal of Letter U7-C-STP-NRC-090206
3-65	ML0933350909	12/01/2009	2009/12/01 STP COL - FW: Transmittal of U7-C-STP-NRC-090215
3-66	ML093480566	12/01/2009	2009/12/01 STP COL - FW: New STP Chapter 19 RAI
3-67	ML093480567	12/01/2009	2009/12/01 STP COL - New STP Chapter 19 RAI
3-68	ML093490181	12/01/2009	2009/12/01 STP COL - STP - Draft RAI 4048 Chapter 3.8.5
3-69	ML093200037	12/02/2009	Request for Withholding Information from Public Disclosure Methodology for South Texas Project Units 3 and 4 Advanced Boiling Water Reactor Technical Specification Setpoints.
3-70	ML0933360239	12/02/2009	Request for Additional Information Letter No. 292 Related To SRP Sections 12.02 and 12.03-12.04 For The South Texas Project Combined License Application.
3-71	ML093480560	12/02/2009	2009/12/02 STP COL - RE: New Chp 19 STP RAI

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
3-72	ML093480561	12/02/2009	2009/12/02 STP COL - New Chp 19 STP RAI (4049)
3-73	ML093480562	12/02/2009	2009/12/02 STP COL - New STP Chp 12 RAI
3-74	ML093480563	12/02/2009	2009/12/02 STP COL - RE: New Chp 19 STP RAI
3-75	ML093480564	12/02/2009	2009/12/02 STP COL - New Chp 19 STP RAI
3-76	ML093480592	12/02/2009	2009/12/02 STP COL - Thursday Meeting
3-77	ML093490180	12/02/2009	2009/12/02 STP COL - STP Draft RAI 4046 for Chapter 3.8.4
3-78	ML093490990	12/02/2009	2009/12/02 STP COL - FW: Water at Alternate Sites
3-79	ML093500043	12/03/2009	South Texas Project Presentation -
3-80	ML093200024	12/03/2009	Request for Withholding Information From Public Disclosure "South Texas Project 3 and 4 Advanced Boiling Water Reactor Technical Specification Setpoints Methodology Report Overview."
3-81	ML0933360316	12/03/2009	12/16/09 - Notice of Forthcoming Closed Meeting With South Texas Project Nuclear Operating Company On The Flow Induced Vibration Test Program.
3-82	ML093370079	12/03/2009	Request For Additional Information Letter No. 293 Related To SRP Sections 19 For The South Texas Project Combined License Application.
3-83	ML093370239	12/03/2009	Request for Additional Information Letter No. 294 Related To SRP Section 8.2 For The South Texas Project Combined License Application.
3-84	ML093421266	12/03/2009	South Texas, Units 3 & 4 Response to Request for Additional Information Relates to Combined License Application Part 2, Tier 2 Chapter 19.
3-85	ML093421267	12/03/2009	South Texas, Units 3 & 4 Response to Request for Additional Information.
3-86	ML093480339	12/03/2009	2009/12/03 STP COL - FW: Request for Additional Information Letter No. 293 Related to SRP Section 19 For The South Texas Project Combined License Application
3-87	ML093480559	12/03/2009	2009/12/03 STP COL - RE: Letter U7-C-STP-NRC-090148



	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
3-88	ML0933490110	12/03/2009	2009/12/03 STP COL - Request For Additional Information Letter No. 294 Related To SRP Section 8.2 For The South Texas Project Combined License Application
3-89	ML0933490186	12/03/2009	2009/12/03 STP COL - Transmittal of U7-C-STP-NRC-090216
3-90	ML0933490187	12/03/2009	2009/12/03 STP COL - Transmittal of Letter U7-C-STP-NRC-090218
3-91	ML0933380136	12/04/2009	12/15/09 - Notice of Forthcoming Follow-Up Closed Meeting With South Texas Project Nuclear Operating Company On The Emergency Core Cooling Suction Strainers.
3-92	ML0933490109	12/04/2009	2009/12/04 STP COL - Call with NRC to discuss Electrical Power Distribution System control
3-93	ML093160719	12/07/2009	Request for Withholding Information From Public Disclosure "ABWR Containment/Pressure Temperature Input And Results Data Requested In RAI 06.02.01-1."
3-94	ML093220094	12/07/2009	11/10/09 - Regulatory Audit Summary of South Texas Project, Units 3 and 4 Combined License Application Revision 3 - Operational Programs.
3-95	ML093410162	12/07/2009	Request for Additional Information Letter No. 295 Related To SRP Sections 19.01 For The South Texas Project Combined License Application.
3-96	ML093410233	12/07/2009	Request for Additional Information Letter No. 296 Related To SRP Sections 19 For the South Texas Project Combined License Application.
3-97	ML093410533	12/07/2009	Request for Additional Information Letter No. 297 Related To SRP Sections 03.08.01 and 03.08.05 For the South Texas Project Combined License Application.
3-98	ML093421269	12/07/2009	South Texas, Units 3 & 4, Response to Request for Additional Information Letter No. 285 Related to Combined License Application Part 2, Tier 2, Chapter 15.
3-99	ML093440181	12/07/2009	South Texas Project, Units 3 and 4 - Responses to Requests for Additional Information RAI Letter 287, related to COLA Part 2, Tier 2, Section 8.1.1, "Offsite Transmission Network".



	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
3-100	ML093480241	12/07/2009	2009/12/07 STP COL - FW: REQUEST FOR ADDITIONAL INFORMATION LETTER NO. 296 RELATED TO SRP SECTIONS 19 FOR THE SOUTH TEXAS PROJECT COMBINED LICENSE APPLICATION
3-101	ML093490106	12/07/2009	2009/12/07 STP COL - RE: Transmittal of U7-C-STP-NRC-090207
3-102	ML093490108	12/07/2009	2009/12/07 STP COL - Transmittal of U7-C-STP-NRC-090207
3-103	ML093490177	12/07/2009	2009/12/07 STP COL - Virtual Reading Room Access
3-104	ML093440180	12/08/2009	South Texas Project, Units 3 and 4 - Response to Request for Additional Information (RAI) Letter Number 286 related to Combined License Application (COLA) Part 2, Tier 2, Section 9.2.
3-105	ML093450355	12/08/2009	South Texas Project, Units 3 & 4, Response to Requests for Additional for RAI 01-15 and RAI 01-16.
3-106	ML093480239	12/08/2009	2009/12/08 STP COL - FW: New STP Chp 12 RAI
3-107	ML093480240	12/08/2009	2009/12/08 STP COL - RE: New STP Chp 12 RAI
3-108	ML093480591	12/08/2009	2009/12/08 STP COL - RE: DRAFT RAI Related to Chapter 16
3-109	ML093490105	12/08/2009	2009/12/08 STP COL - Transmittal of U7-C-STP-NRC-090217
3-110	ML093490179	12/08/2009	2009/12/08 STP COL - RAI 4032.doc Chapter 9.1.1, Criticality Analysis
3-111	ML093430391	12/09/2009	Request for Additional Information Letter No. 298 Related To SRP Section 09.01.01 For The South Texas Project Combined License Application.
3-112	ML093430486	12/09/2009	Request for Additional Information Letter No. 299 Related To SRP Section 03.08.04 For The South Texas Project Combined License Application.
3-113	ML093451292	12/09/2009	South Texas Project, Units 3 and 4, Submittal of Combined License Application, Part 8, Revision 3.
3-114	ML093480068	12/09/2009	South Texas Project, Units 3 & 4 - Response to Requests for Additional Information RAI Questions 11.04-6 and 12.03-12.04-10.

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
3-115	ML093480237	12/09/2009	2009/12/09 STP COL - RE: Phone call on 19.01-25
3-116	ML093480573	12/09/2009	2009/12/09 STP COL - FW: RAI Response
3-117	ML093480587	12/09/2009	2009/12/09 STP COL - RE: Draft RAI 3973
3-118	ML093480588	12/09/2009	2009/12/09 STP COL - DRAFT RAI 4090
3-119	ML093490183	12/09/2009	2009/12/09 STP COL - Transmittal of Letter U7-C-STP-NRC-090220
3-120	ML093490234	12/09/2009	2009/12/09 STP COL - Transmittal of Letter U7-C-STP-NRC-090222
3-121	ML093490237	12/09/2009	2009/12/09 STP COL - Transmittal of Letter U7-C-STP-NRC-090223
3-122	ML093480590	12/10/2009	2009/12/10 STP COL - Request PROPRIETARY Review of RAI
3-123	ML093480580	12/11/2009	2009/12/11 STP COL - Telecon on Chapter 14.2 - Training
3-124	ML093480585	12/11/2009	2009/12/11 STP COL - DRAFT RAIs Related to Chapter 16
3-125	ML093480586	12/11/2009	2009/12/11 STP COL - Location of Suction Strainers Meeting
3-126	ML093490176	12/11/2009	2009/12/11 STP COL - 12/17 Telecon and COM 3A-1
3-127	ML093350861	12/14/2009	Summary of November 17, 2009 Public Teleconference to Discuss Response to Request for Additional Information related to Alternative Sites for the South Texas Project Units 3 and 4 Environmental Review.
3-128	ML093480163	12/14/2009	Request for Additional Information Letter No. 235 Related to SRP Section 16 for the South Texas Project Combined License Application.
3-129	ML093480228	12/14/2009	Request for Additional Information Letter No. 237 Related To SRP Section 06.02.02 For The South Texas Project Combined License Application.
3-130	ML093480253	12/14/2009	Request for Additional Information Letter No. 236 Related to SRP Section 06.02.02 for the South Texas Project Combined License Application.
3-131	ML093480576	12/14/2009	2009/12/14 STP COL - RE: Phone Number
3-132	ML093480577	12/14/2009	2009/12/14 STP COL - RE: Telecon on Chapter 14.2 - Training

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
3-133	ML093480579	12/14/2009	2009/12/14 STP COL - Toshiba Access to PSTF Test Data
3-134	ML093490103	12/14/2009	2009/12/14 STP COL - FW: Phone call on Spurious Actuations, 12/14/09
3-135	ML093490104	12/14/2009	2009/12/14 STP COL - FW: RAI 4032.doc Chapter 9.1.1, Criticality Analysis
3-136	ML093500031	12/15/2009	2009/12/15 STP COL - DRAFT RAI 5.2.1.2
3-137	ML093500035	12/15/2009	2009/12/15 STP COL - FW: DRAFT RAI - 2.5.4
3-138	ML093500036	12/15/2009	2009/12/15 STP COL - Draft RAI 4.6
3-139	ML093500049	12/15/2009	2009/12/15 STP COL - FW: Request for Additional Information Letter No. 236 and 237 Related To SRP SEction 06.02.02 For The South Texas Project Combined License Application
3-140	ML093500053	12/15/2009	2009/12/15 STP COL - FW: Request for Additional Information Letter No. 235 Related To SRP Section 16 For The South Texas Project Combined License Application
3-141	ML093500175	12/16/2009	Request For Additional Information Letter No.. 302 Related To SRP Sections 03.07.01 and 03.07.02 For The South Texas Project Combined License Application.
3-142	ML093500397	12/16/2009	2009/12/16 STP COL - FW: RAI Response Timeframes

**Attachment 2                      South Texas Project COL Hearing File and Mandatory Disclosures  
List of Documents Withheld – Proprietary Information, Security-Related Information, and Safeguards Information  
Update 3 – January 4, 2010**

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding are being withheld as proprietary information subject to withholding from public disclosure pursuant to 10 C.F.R. § 2.390(a)(4). In addition, some documents are being withheld as security-related information authorized to be withheld under § 2.390(d)(1) and (a)(4). Finally, some documents are being withheld as Safeguards Information, which is withheld from disclosure pursuant to the following statutory and regulatory provisions: Section 147 of the Atomic Energy Act of 1954, as amended, and 10 C.F.R. §§ 2.390(a)(3), 73.21, and 73.22. Pursuant to the Initial Scheduling Order issued by the Licensing Board on October 20, 2009, the Staff is providing this list to identify the following documents withheld as proprietary, security-related, or Safeguards Information, and subject to protected status under Section 2.390.

	<b>Accession Number</b>	<b>Author Name/ Affiliation:</b>	<b>Title/Description</b>	<b>Document Date</b>	<b>Document Type</b>	<b>Addressee / Addressee Affiliation</b>	<b>Comment</b>	<b>Pages</b>
3-1	ML093420547	Energy Research, Inc	South Texas Project Units 3 and 4 Basis Accident Containment Loads: Confirmatory Assessment of Pool Swell Analysis.	12/03/2009	Meeting Briefing Package/Handouts Slides and Viewgraphs		Proprietary Information	32

	Accession Number	Author Name/ Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Pages
3-2	ML093420968	Energy Research, Inc	South Texas Project Units 3 and 4 - Confirmatory Analysis of the STP 3 and 4 Advanced Boiling Water Reactor Containment Response under Design Basis Accident Conditions.	12/03/2009	Meeting Briefing Package/Handouts Slides and Viewgraphs		Proprietary Information	16
3-3		Head S, South Texas Project Nuclear Operating Co	South Texas Project Units 3 & 4 Physical Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Revision 3 (Safeguards Information). – (Attachment to ML093490234)	12/09/2009	Security Information	NRC/NRO	Safeguards Information	
3-4		Head S, South Texas Project Nuclear Operating Co	Summary of Changes to the Security Plan (Safeguards Information). – (Attachment to ML093490234)	12/09/2009	Security Information	NRC/NRO	Safeguards Information	

Accession Number	Author Name/ Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Pages
3-5	Head S, South Texas Project Nuclear Operating Co	Interdiction Capability Evaluation South Texas Project Units 3 & 4, Revision 1 (Safeguards Information). – (Attachment to ML093490234)	12/09/2009	Security Information	NRC/NRO	Safeguards Information	

**Attachment 3**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
)  
)  
STP NUCLEAR OPERATING COMPANY ) Docket Nos. 52-012 & 52-013  
)  
)  
(South Texas Project, Units 3 & 4) )

AFFIDAVIT OF GEORGE WUNDER CONCERNING  
MANDATORY DISCLOSURE REQUIREMENTS

I, George Wunder, do hereby state as follows:

1. I am employed as a Senior Project Manager in the ESBWR/ABWR Projects Branch 2 of the Division of New Reactor Licensing in the Nuclear Regulatory Commission's ("NRC") Office of New Reactors. I serve as a project manager for the NRC's review of the Combined License Application submitted by STP Nuclear Operating Company, at issue in this proceeding.
2. In accordance with 10 C.F.R. § 2.336(c), I hereby certify that all relevant materials required to be disclosed in the captioned proceeding have been disclosed and that the disclosures are accurate and complete for documents identified as of December 15, 2009.
3. In accordance with the Board's Initial Scheduling Order of October 20, 2009, the NRC staff conducted a reasonable good faith search for all documents or information, including electronically stored information, subject to the mandatory disclosure and hearing file requirements and the disclosure or production excludes only (a) documents or information



exempted from disclosure pursuant to the law, including NRC regulations or this order, and (b) information that is not reasonably accessible because of undue burden or cost. The NRC staff has not excluded any information due to it not being reasonably accessible because of undue burden or cost.

4. I hereby certify under penalty of perjury that the foregoing is true and complete to the best of my knowledge, information, and belief.

**Executed in Accord with 10 CFR § 2.304(d)**

George Wunder  
Project Manager, ESBWR/ABWR  
Projects Branch 2  
Division of New Reactor Licensing  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D38M  
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George.Wunder@nrc.gov

Executed in Rockville, MD  
this 4th day of January 2010

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
)  
)  
STP NUCLEAR OPERATING COMPANY ) Docket Nos. 52-012 & 52-013  
)  
)  
(South Texas Project, Units 3 & 4) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated January 4, 2010, providing notice of the availability of the third update to the hearing file and mandatory disclosures, with attachments, together with the affidavit of George Wunder, have been served upon the following persons by Electronic Information Exchange this 4th day of January 2010:

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