

From: Thadani, Mohan
Sent: Thursday, January 14, 2010 9:45 AM
To: Harrison, Albon
Cc: Feintuch, Karl; Lingam, Siva; Burkhardt, Janet; Wengert, Thomas
Subject: RE: ACCEPTANCE REVIEW FOR STPNOC'S REQUEST FOR EXEMPTION FROM NEW SECURITY RULE COMPLIANCE DATE.

Mr. Edward D. Halpin
Chief Nuclear Officer
STP Nuclear Operating Company
South Texas Project
P. O. Box 289
Wadsworth, TX 77483

SUBJECT: SOUTH TEXAS PROJECT, UNITS, 1 and 2 - ACCEPTANCE REVIEW FOR APPLICATION FOR EXEMPTION FROM SCHEDULAR REQUIREMENTS OF COMPLIANCE WITH THE NEW PHYSICAL SECURITY RULE (TAC NOS. ME2873 AND ME2874)

Dear Mr.
Halpin:

By letter dated November 18, 2009 , STP Nuclear Operating Company (the licensee) requested the U.S. Nuclear Regulatory Commission (NRC) staff for approval of exemption from the date of compliance with physical security requirements of the regulation at Title 10 of Code of *Federal Regulations* Part 73 "Physical Protection of Plants and Materials" for the South Texas Project (STP) Units 1 and 2. The exemption will extend the deadline for implementation of certain measures required by the new rule dated March 27, 2009, published in the *Federal register* at 74 FR 13926. Pursuant to the new rule, the new security requirements must be implemented by March 31, 2010. The licensee has evaluated the implementation of these new requirements and determined that most of the new requirements can be implemented by the required date. However, specific changes in portions of the new requirements will require additional time to implement. The changes that require additional time beyond March 31, 2010 are physical modifications to upgrade the security systems

The purpose of this letter is to provide the results of the NRC staff's acceptance review of this request. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

The NRC staff has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the staff to proceed with its detailed technical review and make an independent assessment regarding the acceptability of the proposed change in terms of regulatory requirements and the protection of public health and safety and the environment. If additional

information is needed for the staff to complete its technical review, you will be advised by separate correspondence.

If you have any questions, please contact me at (301) 415-1476, or email Mohan.Thadani@nrc.gov.

Mohan E Thadani

Senior Project Manager

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