

January 29, 2010

MEMORANDUM TO: Edwin M. Hackett, Executive Director  
Advisory Committee on Reactor Safeguards

FROM: David B. Matthews, Director **/RA/**  
Division of New Reactor Licensing  
Office of New Reactors

SUBJECT: SAFETY EVALUATION REPORT WITH OPEN ITEMS REGARDING  
THE SOUTH TEXAS PROJECT UNITS 3 AND 4 COMBINED LICENSE  
APPLICATION – CHAPTERS 1, 4, 11, 12, 15 AND 18

The U.S. Nuclear Regulatory Commission staff is preparing a safety evaluation report (SER) with open items (OIs) for the Final Safety Analysis Report (FSAR) of the South Texas Project Units 3 & 4 combined license (COL) application. The application was submitted by South Texas Project Nuclear Operating Company on September 20, 2007. South Texas Project Units 3 & 4 reference the Advanced Boiling Water Reactor (ABWR) certified design.

The staff has completed the detailed review of FSAR Chapters 1, 4, 11, 12, 15, and 18, and prepared the corresponding SER with OIs. This SER with OIs is being provided to support the upcoming meeting of the Advisory Committee on Reactor Safeguards (ACRS) ABWR Subcommittee, scheduled to be held on March 2, 2010. The ACRS Full Committee meeting will be held at a future date.

The SER with OIs is based on Revision 3 (September 2009) of the COL application which incorporates by reference Revision 4 of the ABWR DCD

**NOTICE: Document transmitted herewith  
contains sensitive unclassified information.  
When separated from the enclosure this cover  
letter is "DECONTROLLED."**

CONTACTS: George Wunder, NGE2/NRO  
301-415-1494  
[George.Wunder@nrc.gov](mailto:George.Wunder@nrc.gov)

Michael Eudy, NGE2/NRO  
301-415-3104  
[Michael.Eudy@nrc.gov](mailto:Michael.Eudy@nrc.gov)

E. Hackett

- 2 -

With the exception of Enclosure 6 (Chapter 18), the enclosed SER with OIs has not been reviewed for proprietary information. Until the proprietary determination has been completed, enclosures 1 through 5 should not be released to the public. The staff is requesting that STPNOC complete the proprietary review before the March ACRS meeting, so that the enclosures can be made publicly available.

Docket Nos.: 52-012  
52-013

Enclosures:

1. Safety Evaluation Report with Open Items - Chapter 1 (ML100280755)
2. Safety Evaluation Report with Open Items - Chapter 4 (ML100271807)
3. Safety Evaluation Report with Open Items - Chapter 11 (ML100281007)
4. Safety Evaluation Report with Open Items - Chapter 12 (ML100280905)
5. Safety Evaluation Report with Open Items - Chapter 15 (ML100260530)
6. Safety Evaluation Report with Open Items - Chapter 18 (ML093370716)

cc: Mark McBurnett, Vice President  
Regulatory Affairs,  
South Texas Project Nuclear Operating Company  
P.O.Box 289  
Wadsworth, TX 77493

E. Hackett

- 2 -

With the exception of Enclosure 6 (Chapter 18), the enclosed SER with OIs has not been reviewed for proprietary information. Until the proprietary determination has been completed, enclosures 1 through 5 should not be released to the public. The staff is requesting that STPNOC complete the proprietary review before the March ACRS meeting, so that the enclosures can be made publicly available.

Docket Nos.: 52-012  
52-013

Enclosures:

1. Safety Evaluation Report with Open Items - Chapter 1 (ML100280755)
2. Safety Evaluation Report with Open Items - Chapter 4 (ML100271807)
3. Safety Evaluation Report with Open Items - Chapter 11 (ML100281007)
4. Safety Evaluation Report with Open Items - Chapter 12 (ML100280905)
5. Safety Evaluation Report with Open Items - Chapter 15 (ML100260530)
6. Safety Evaluation Report with Open Items - Chapter 18 (ML093370716)

cc: Mark McBurnett, Vice President  
Regulatory Affairs,  
South Texas Project Nuclear Operating Company  
P.O.Box 289  
Wadsworth, TX 77493

**DISTRIBUTION:**

NGE2 R/F  
 GWunder, NRO  
 MTonacci, NRO  
 MEudy, NRO  
 BAbeywickrama, NRO  
 RidsNroDnrlNge2  
 NRO Division Directors & Deputy Division Directors  
 RidsOgcMailCenter Resource  
 RidsAcrsAcnw\_Mail CTR Resource  
 RidsNro  
 RidsNroDnrl  
 MJohnson, NRO  
 GHolahan, NRO  
 SKirkwood, OGC  
 MCarpentier, OGC

**ADAMS ACCESSION NO.: ML100290349**

**NRO-002**

OFFICE	PM:NGE2	LA:NGE2	BC:NGE2	D:DNRL
NAME	GWunder	BAbeywickrama	MTonacci	DBMatthews:
DATE	1/28/2010	1/29/2010	1/28/2010	1/29/ 2010

**OFFICIAL RECORD COPY**