September 3, 2010

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

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

SUBJECT: SAFETY EVALUATION WITH OPEN ITEMS
REGARDING THE SOUTH TEXAS PROJECT UNITS 3 AND 4
COMBINED LICENSE APPLICATION – CHAPTER 9

The U.S. Nuclear Regulatory Commission (NRC) staff is preparing safety evaluations (SE) with open items (OI) for the Final Safety Analysis (FSA) of the South Texas Project (STP) Units 3 and 4 combined license (COL) application. The application was submitted by STP Nuclear Operating Company (STPNOC) on September 20, 2007. STP Units 3 and 4 reference the Advanced Boiling-Water Reactor (ABWR) certified design.

The staff has completed the detailed review of FSA Chapter 9 (ML102310346) except Sections 9.1.1 and 9.1.2, and prepared the corresponding SE with OIs for the subject chapter. These sections will be presented to the Advisory Committee on Reactor Safeguards Subcommittee (ACRS) at a later date. The SE is being provided to support the upcoming meeting of the ABWR ACRS, scheduled to be held on October 4, 2010. The ACRS Full Committee meeting will be held at a future date. The SE is based on Revision 3 (September, 2009) of the COL application which incorporates by reference Revision 4 of the ABWR Design Certification Amendment (DCD).

The staff concludes that the SE does not contain any information for which exemption from public disclosure has been sought or approved. However, the NRC will withhold the SE from public disclosure for ten calendar days to allow STPNOC the opportunity to verify the staff's conclusion that the SE contains no such exempt information or any factual errors. Therefore, the staff requests that the ACRS withhold the SE from public disclosure until the information has been released publicly in the Agency Dcoucments Access and Management System (ADAMS).

The staff will inform the ACRS immediately if STPNOC requests that any of the information in the SE be withheld from public disclosure.

CONTACTS: George Wunder, NRO/DNRL
301-415-1494
George.Wunder@nrc.gov

Tom Tai, NRO/DNRL
301-415-8484
Tom.Tai@nrc.gov

For Chapter 9, the staff plans on focusing their presentation on several FSAR departures and other staff evaluations including:

- Fire Protection
- Ultimate Heat Sink

Docket Nos.: 52-012, 52-013

Enclosures: As stated

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