

September 23, 2010

Mr. Scott Head, Manager
Regulatory Affairs
STP Nuclear Operating Company
P. O. Box 289
Wadsworth, TX 77483

SUBJECT: SAFETY EVALUATION REPORT WITH OPEN ITEMS FOR CHAPTER 3
REGARDING THE SOUTH TEXAS PROJECT COMBINED LICENSE
APPLICATION REVIEW

Dear Mr. Head:

The U.S. Nuclear Regulatory Commission staff is preparing a safety evaluation report (SER) with open items (OIs) for the Final Safety Analysis (FSA) of the South Texas Project (STP) Units 3 and 4 combined license (COL) application. South Texas Project Units 3 & 4 Combined License Application (COLA) submitted by STP Nuclear Operating Company (STPNOC) on September 20, 2007.

The staff has completed the detailed review of the FSA Chapter 3 except Sections 3.7, 3.8, and 3.9.2, and prepared the corresponding SE with OIs for the subject chapter. The staff has not completed the evaluation for Sections 3.7, 3.8 and 3.9.2. The staff's SER with OIs for Chapter 3 has been provided to the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee to support the upcoming meeting of the ACRS Subcommittee, scheduled to be held on October 20, 2010. The sections 3.7, 3.8, and 3.9.2 will be presented to the ACRS at a later date. The staff is continuing to review the COLA and may identify additional open items as a result of future STPNOC submittals.

The enclosed SER with OIs is being provided to STPNOC for review of proprietary information. Pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390, we have determined that the enclosed FSE may contain proprietary information or other categories of information that should be withheld from public disclosure. We will delay placing the enclosure in the public document room for a period of 10 days to provide you with the opportunity to comment on information in the enclosed SER with OIs that should be withheld from public disclosure.

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

S. Head

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If you believe that any information in the enclosure is proprietary, please identify such information line by line and define the basis pursuant to the criteria of 10 CFR 2.390.

Sincerely,

/RA – G. Wunder for/

Mark Tonacci, Chief
BWR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-012
52-013

Enclosure:
Safety Evaluation Report with Open Items – Chapter 3

cc w/o encls: See next page

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