



South Texas Project Electric Generating Station 4000 Avenue F – Suite A Bay City, Texas 77414

October 27, 2010
U7-C-STP-NRC-100243

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville MD 20852-2738

South Texas Project
Units 3 and 4
Docket Nos. 52-012 and 52-013
Revised Response to Request for Additional Information

Reference: Letter, Scott Head to Document Control Desk, “Response to Request for Additional Information,” dated August 25, 2009, U7-C-STP-NRC-090116 (ML092390067)

Attached revised response to the NRC staff questions included in Request for Additional Information (RAI) letter number 203 related to Combined License Application (COLA) Part 2, Tier 2, Section 13.7 provided as attachments 1 and 2 in the referenced letter. These revised responses supersede our previous submittals in the referenced letter.

The attachment contains the revised response which is applicable to both the RAI questions listed below:

RAI 13.06.01-1 RAI 13.06.01-2

When a change to the COLA is indicated, it will be incorporated in the next routine revision of the COLA following the NRC acceptance of the RAI response.

There are no commitments in this letter.

If you have any questions, please contact me at (361) 972-7136, or Bill Mookhoek at (361) 972-7274.

DO91
NRO

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10/27/10



Scott Head
Manager, Regulatory Affairs
South Texas Project Units 3 & 4

fjp

Attachment:

Revised Response to RAI 13.06.01-1 and RAI 13.06.01-2

cc: w/o attachment except*
(paper copy)

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QUESTION 13.06.01-1

FSAR Chapter 13.7 Fitness for Duty, 13.7.1 Introduction

The introduction reads “A Fitness for Duty program is implemented and maintained to meet the requirements contained in the 10 CFR Part 26. The FFD program complies with the FFD requirements contained in 10 CFR Part 26 at STP 3 & 4 site.” This statement doesn’t specify if compliance will be met with requirements for operating reactors or with requirements for 10 CFR Part 26, Subpart K - FFD Program for Construction. Please identify which requirements will be complied with.

Regulatory Basis:

10 CFR 52 (a) (44) A description of the fitness-for-duty program required by 10 CFR part 26 and its implementation.

REVISED RESPONSE

The revised response below is applicable to both RAI 13.06.01-1 and 13.06.01-2. STP will revise Section 13.7 by replacing the current submitted information in its entirety.

The revised text to Section 13.7 will read as follows:

13.7 Fitness For Duty

The Fitness for Duty (FFD) Program is implemented and maintained in two phases; the construction phase program and the operating phase program. The construction and operations phase programs are implemented as identified in Table 13.4S-1.

The construction phase program is consistent with NEI 06-06 (Reference 13.7-1). NEI 06-06 applies to persons constructing or directing the construction of safety and security-related structures, systems, or components performed onsite where the new reactor will be installed and operated. Management and oversight personnel, as further described in NEI 06-06, and security personnel prior to the receipt of special nuclear material in the form of fuel assemblies (with certain exceptions) will be subject to the operations FFD program that meets the requirements of 10 CFR Part 26, Subparts A through H, N, and O. At the establishment of a protected area, all persons who are granted unescorted access will meet the requirements of an operations FFD program. Prior to issuance of a Combined License, the construction FFD program at a new reactor construction site for those subject to Subpart K will be reviewed and revised as necessary should substantial revisions occur to either NEI 06-06 or the requirements of 10 CFR Part 26.

The following site-specific information is provided:

- The construction site is defined in the Physical Security Plan, Appendix E and is under the control of Constructor. The 10 CFR Part 26 requirements are implemented for the construction site area based on the descriptions provided in Table 13.4S-1.

- Construction workers & first-line supervisors (Constructor employees and subcontractors) are covered by the STPNOC approved Constructor FFD Program (elements Subpart K).
- STPNOC employees and STPNOC subcontractor's construction management and oversight personnel are covered by the STPNOC Operations FFD Program and Constructor's employees and Constructor's subcontractors construction management and oversight personnel are covered by the STPNOC approved Constructor FFD Program (elements Subpart A – H, N and O).
- STPNOC security personnel are covered by the STPNOC Operations FFD Program and Constructor's security personnel are covered by the STPNOC approved Constructor FFD Program (elements Subpart A – H, N and O). This coverage is applicable from the start of construction activities to the earlier of (1) the receipt of Special Nuclear Material in the form of fuel assemblies, (2) the establishment of a protected area, or (3) the 10 CFR 52.103(g) finding.
- STPNOC FFD Program personnel are covered by the STPNOC Operations FFD Program and Constructor's FFD Program personnel are covered by the STPNOC approved Constructor FFD Program (elements Subpart A, B, D – H, N, O, and C per licensee's discretion).
- STPNOC security personnel protecting fuel assemblies, or the established protected area, or the facility following the 10 CFR 52.103(g) finding are covered by the STPNOC Operations FFD Program (elements Subpart A – I, N and O).

The operations phase program is consistent with 10 CFR Part 26. (Elements Subpart A – I, N, and O, except for individuals listed in §26.4(b), who are not subject to §§ 26.205 – 209, as described in Section 13.7.2 below.

13.7.1 References

- 13.7-1 Nuclear Energy Institute "Fitness for Duty Program Guidance for New Nuclear Power Plant Construction Sites," NEI 06-06, Revision 5, August 2009.

13.7.2 Program Description

The STP FFD Program is a comprehensive program consisting of drug and alcohol screening, a Behavioral Observation Program, and an Employee Assistance Program. The purpose of the FFD Program is to meet the STPNOC commitment to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in an appropriate mental and physical condition to perform their jobs in a satisfactory manner. This program applies to all covered individuals, which includes STPNOC employees, co-owner employees, STPNOC applicants, contractors, vendors, or supplier employees performing work at STP. STP visitors or short-term

consultants/contractors exhibiting behavior suggesting a lack of "fitness for duty" may also be subject to for cause drug and alcohol screening under this policy.

Additionally, COLA Revision 4 FSAR Table 13.4S-1 will be revised as shown below:

Fitness For Duty FFD Program (Construction-Mgt & Oversight Personnel)	10 CFR Part 26 Subparts A-H, N and O	13.7	Prior to initiating 10 CFR 26 initial construction activities	10 CFR 26
Fitness For Duty FFD Program (Construction-Workers & First Line Supervisors)	10 CFR Part 26 Subpart K	13.7	Prior to initiating 10 CFR 26 initial construction activities	10 CFR 26
FFD Program for security personnel	10 CFR Part 26 Subparts A-H, N and O 10 CFR Part 26 Subparts A-I, N and O	13.7	Prior to initiating 10 CFR 26 construction activities Prior to the earlier of: a. Receipt of SNM in the form of fuel assemblies b. Establishment of a Protected Area, or c. 10 CFR 103.(g) finding	10 CFR 26
FFD Program for FFD Program personnel	10 CFR Part 26 Subparts A, B, D-H, N, O and C per licensee's discretion	13.7	Prior to initiating 10 CFR 26 construction activities	10 CFR 26
FFD Program	10 CFR Part 26 Subparts K	13.7	Prior to initiating 10 CFR 26 construction activities	10 CFR 26
FFD Program for persons required to physically report to the Technical Support Center (TSC) or Emergency Operations Facility (EOF)	10 CFR Part 26, Subparts A - I, N, and O, except for Parts 26.205 - 209		Prior to the conduct of the first full-participation emergency preparedness exercise under 10 CFR Part 50, App. E, Section F.2.a	10 CFR 26
FFD Program for Operation	10 CFR Part 26, Subparts A - I, N, and O, except for individuals listed in Part 26.4(b), who are not subject to Part 26.205 - 209		Prior to the earlier of: a. Establishment of a protected area, or b. 10 CFR 52.103(g) finding	10 CFR 26