

December 13, 2010

Mr. Mark McBurnett, Vice President
Regulatory Affairs
STP Nuclear Operating Company
P. O. Box 289
Wadsworth, TX 77483

SUBJECT: SOUTH TEXAS PROJECT UNITS 3 AND 4 COMBINED LICENSE APPLICATION
REVIEW STATUS UPDATE

Dear Mr. McBurnett:

In a letter dated February 24, 2010, STP Nuclear Operating Company (STPNOC) identified areas of Chapters 2, 3, and 9 of the South Texas Project (STP) Units 3 and 4 combined license application (COLA) that presented challenges to the review schedule that had been established for that COLA. In our March 24, 2010, response we agreed with your assessment of the schedule challenges, informed you that the staff would continue its review of your application without a published schedule, and established a set of milestones that would have to be reached before we would be able to develop and publish a new schedule.

Over the past several months, STPNOC and the U.S. Nuclear Regulatory Commission (NRC) staff have made significant progress in resolving the challenges you identified; however, technical issues associated with the review of Chapters 3 and 9 remain. The specific issues that have yet to be resolved are in the areas of seismic and soil structure interaction, flow-induced vibration, and criticality and structural analyses of new and spent fuel storage areas. Because of technical and engineering challenges that you encountered, STPNOC submitted some materials for NRC staff review later than anticipated; other materials that you submitted did not provide the level of detail that the staff requires in order to make its licensing decision.

With regard to the seismic and soil structure interaction issues, we have held public meetings to make clear our expectations and to ensure proper communications; nevertheless, significant technical issues remain. The responses to our requests for additional information (RAIs) issued in June and July did not address all of the issues that must be resolved in the staff's review; furthermore, we understand that additional RAI responses that you intended to submit by early January 2011 will be delayed until January 31, 2011. We understand that the technical issues with which you are dealing are complex and sometimes require additional time to resolve. We emphasize that delays in submitting responses to our RAIs will delay our review of your application.

With regard to flow induced vibrations we agreed upon a schedule for the submittal of various test results culminating in the submittal of a comprehensive vibration assessment program (CVAP) on December 15, 2010. A challenge arose when, during the staff's audit of October 18 and 19, 2010, we were advised that you have changed your methodology for determining steam dryer loads. Another challenge arose when you informed us that the submittal of the CVAP will be delayed until January 30, 2011.

The staff is assessing your approach to determining steam dryer loads and may request additional audits in order to resolve technical issues. We note that changes in methodology and delays in submitting technical reports may prolong the staff's review in this area.

With regard to the new and spent fuel storage criticality and structural issues we still face a number of challenges. Neither the criticality analysis that you submitted on October 11, 2010, nor the structural analysis you provided on October 29, 2010, contain the detail that the staff needs to complete its review; furthermore, the structural analysis was submitted a month later than originally anticipated. Because your submittals did not contain the level of detail that the staff needs, we are preparing additional RAIs on both the criticality and the structural analyses. We have postponed our planned January, 2011 structural audit until we have received and had time to evaluate the required design information. These challenges are likely to extend the review of your application.

The staff will continue its review of STPNOC's application; however, until we receive RAI responses with sufficient detail we will not be able to develop a schedule for the remainder of the review. I would be happy to discuss any of these issues with you. If I can be of assistance, I can be reached at (301)415-1199 or via e-mail at David.Matthews@nrc.gov

Sincerely,

/RA – F. Akstulewicz for/

David B. Matthews, Director
Division of New Reactor Licensing
Office of New Reactors

Docket Nos.: 52-012
52-013

cc: See next page

The staff is assessing your approach to determining steam dryer loads and may request additional audits in order to resolve technical issues. We note that changes in methodology and delays in submitting technical reports may prolong the staff's review in this area.

With regard to the new and spent fuel storage criticality and structural issues we still face a number of challenges. Neither the criticality analysis that you submitted on October 11, 2010, nor the structural analysis you provided on October 29, 2010, contain the detail that the staff needs to complete its review; furthermore, the structural analysis was submitted a month later than originally anticipated. Because your submittals did not contain the level of detail that the staff needs, we are preparing additional RAIs on both the criticality and the structural analyses. We have postponed our planned January, 2011 structural audit until we have received and had time to evaluate the required design information. These challenges are likely to extend the review of your application.

The staff will continue its review of STPNOC's application; however, until we receive RAI responses with sufficient detail we will not be able to develop a schedule for the remainder of the review. I would be happy to discuss any of these issues with you. If I can be of assistance, I can be reached at (301)415-1199 or via e-mail at David.Matthews@nrc.gov

Sincerely,

/RA – F. Akstulewicz for/

David B. Matthews, Director
Division of New Reactor Licensing
Office of New Reactors

Docket Nos.: 52-012, 52-013

cc: See next page

DISTRIBUTION:

PUBLIC	BAbeywickrama, NRO	RKaras, NRO
Branch Reading	RidsEdoMailCenter	RidsNroDnrlNge1
RidsNroOd	RidsNroDnrlNge2	
GWunder, NRO	RidsNroDnrl	
JMuir, NRO	RidsOgcMailCenter	
RidsNroDser	RWhited	

ADAMS Accession No: ML103260246

NRO-002

OFFICE	PM:DNRL/BWR	LA:DNRL/ BWR	PM:DNRL/ BWR	BC:/DNRL/BWR
NAME	TTai	BAbeywickrama	GWunder	MTonacci
DATE	11/22/10	11/22/10	11/22/10	12/13/10
OFFICE	DD:DNRL	D:DNRL		
NAME	FAkstulewicz	DMatthews (F. Akstulewicz)		
DATE	12/10 /10	12/10 /10		

OFFICIAL RECORD COPY

cc:

Certrec Corporation
4200 South Hulen, Suite 422
Fort Worth, TX 76109

Mr. Brian Almon
Public Utility Commission
William B. Travis Building
PO Box 13326
1701 North Congress Avenue
Austin, TX 78701-3326

Ms. Michele Boyd
Legislative Director
Energy Program
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Ted Enos
4200 South Hulen
Suite 422
Ft. Worth, TX 76109

Mr. Ed Halpin
President & CEO
STP Nuclear Operating Company
P.O. Box 289
Wadsworth, TX 77483

Ms. Susan M. Jablonski
Office of Permitting, Remediation
and Registration
Texas Comm. on Env. Quality
MC-122
P.O. Box 13087
Austin, TX 78711-3087

Judge
Matagorda County
Matagorda County Courthouse
1700 Seventh Street
Bay City, TX 77414

M. A. McBurnett
VP, Oversight/Regulatory Affairs
STP Nuclear Operating Company
4000 Avenue F, Suite A
Bay City, TX 77414

Bill Mookhoek
Licensing Supervisor
STP Units 3 and 4
Project Electric Generating Station
P.O. Box 289
Wadsworth, TX 77483

Mr. Peter G. Nemeth
Crain, Caton & James, P.C.
P.O. Box 289
Mail Code: N5005
Wadsworth, TX 77483

Mr. Terry Parks
Chief Inspector
Texas Department of Licensing
and Regulation
Boiler Division
P.O. Box 12157
Austin, TX 78711

Kathy C. Perkins, RN, MBA
Assistant Commissioner
Division for Regulatory Services
Texas Department of State Health Services
P.O. Box 149347
Austin, Texas 78714-9347

Policy Director
Environmental and Natural Resources
P. O. Box 12428
Austin, TX 78711-3189

Mr. Frank M. Quinn
8 Oak Avenue
Gaithersburg, MD 20877-2705

COL - STP Nuclear - South Texas Mailing List

Regional Administrator
Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive
Suite 400
Arlington, TX 76011-8064

Alice Hamilton Rogers, PE
Inspections Unit Manager
Texas Department of State Health Services
P.O. Box 149347
Austin, Texas 78714-9347

Mr. Robert E. Sweeney
IBEX ESI
4641 Montgomery Avenue
Suite 350
Bethesda, MD 20814

Mr. Steve Winn
STP Nuclear Operating Company
1301 McKinney, Suite 2300
Houston, TX 77010

COL - STP Nuclear - South Texas Mailing List

Email

APH@NEI.org (Adrian Heymer)
awc@nei.org (Anne W. Cottingham)
BrinkmCB@westinghouse.com (Charles Brinkman)
chris.maslak@ge.com (Chris Maslak)
cindyrae_52@yahoo.com
cwaltman@roe.com (C. Waltman)
david.lewis@pillsburylaw.com (David Lewis)
Derinda.Bailey@chguernsey.com (Derinda Bailey)
donald.woodlan@luminant.com (Donald Woodlan)
dwstillwell@stpegs.com (Bill Stillwell)
ed.burns@earthlink.net (Ed Burns)
eliza.seedcoalition@gmail.com (Elza Brown)
erg-xl@cox.net (Eddie R. Grant)
gzinke@entergy.com (George Alan Zinke)
jerald.head@ge.com (Jerald G. Head)
jgutierrez@morganlewis.com (Jay M. Gutierrez)
jim.riccio@wdc.greenpeace.org (James Riccio)
Joseph_Hegner@dom.com (Joseph Hegner)
junichi_uchiyama@mnes-us.com (Junichi Uchiyama)
karen@seedcoalition.org (Karen Hadden)
kdrichards@stpegs.com (Kevin Richards)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
lchandler@morganlewis.com (Lawrence J. Chandler)
ldblaylock@cpsenergy.com (Larry Blaylock)
louis.eichenberger@ge.com (Louis Eichenberger)
mamcburnett@stpegs.com (Mark McBurnett)
Marc.Brooks@dhs.gov (Marc Brooks)
maria.webb@pillsburylaw.com (Maria Webb)
mark.beaumont@wsms.com (Mark Beaumont)
Mark.Crisp@chguernsey.com (Mark Crisp)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
maurerbf@westinghouse.com (Brad Maurer)
media@nei.org (Scott Peterson)
MSF@nei.org (Marvin Fertel)
nirsnet@nirs.org (Michael Mariotte)
Nuclaw@mindspring.com (Robert Temple)
patriciaL.campbell@ge.com (Patricia L. Campbell)
Paul@beyondnuclear.org (Paul Gunter)
pshastings@duke-energy.com (Peter Hastings)
RJB@NEI.org (Russell Bell)
sabinski@suddenlink.net (Steve A. Bennett)
sandra.sloan@areva.com (Sandra Sloan)
sfrantz@morganlewis.com (Stephen P. Frantz)

COL - STP Nuclear - South Texas Mailing List

smhead@stpegs.com (Scott Head)
stephan.moen@ge.com (Stephan Moen)
Tansel.Selekler@nuclear.energy.gov (Tansel Selekle)
tom.miller@hq.doe.gov (Tom Miller)
Vanessa.quinn@dhs.gov (Vanessa Quinn)
Wanda.K.Marshall@dom.com (Wanda K. Marshall)
wayne.marquino@ge.com (Wayne Marquino)
wemookhoek@stpegs.com (Bill Mookhoek)
william.maher@fpl.com (William Maher)

