

July 1, 2011

Michael M. Gibson, Chair
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Gary S. Arnold
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Randall J. Charbeneau
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

In the Matter of
Nuclear Innovation North America LLC
(South Texas Project, Units 3 & 4)
Docket Nos. 52-012 and 52-013

Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.336(b) and (c), 10 C.F.R. § 2.1203, and the Licensing Board's Initial Scheduling Order of October 20, 2009, the Staff herein provides to the Licensing Board and the Parties an index containing information required to be disclosed by the Staff. The index contains the ADAMS accession number, date, and title of each item so as to make the item readily retrievable from the agency's website, www.nrc.gov, using the ADAMS "Find" function. Additionally, within a few days of this notification, the Staff will have created a separate folder in the agency's Electronic Hearing Docket associated with this proceeding, entitled "South Texas Project Hearing File." Also attached, as required by § 2.336(c), is the Affidavit of Rocky Foster.

Further, in accordance with the Initial Scheduling Order, the Staff herein produces a list identifying all documents withheld as proprietary, security-related, or Safeguards Information. The Staff shall preserve and maintain all privileged and/or otherwise protected documents during the pendency of this proceeding.

Respectfully submitted,

/signed (electronically) by/
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Enclosures: Attachment 1: Hearing File Index
Attachment 2: List of Documents Withheld
Attachment 3: Affidavit of Rocky Foster

Attachment 1

**South Texas Project COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 21 – July 1, 2011**

	Accession Number	Document Date	Title/Description
21-1	ML11173A079	09/02/2010	2010/09/02 STP COL - Open Items telecon 9/1
21-2	ML11173A078	09/29/2010	2010/09/29 STP COL - Open Items telecon 9/29/2010
21-3	ML11173A077	10/06/2010	2010/10/06 STP COL - FW: Call with NRC
21-4	ML11173A089	10/27/2010	2010/10/27 STP COL - 10-27-2010
21-5	ML11173A088	11/16/2010	2010/11/16 STP COL - OI call attendees
21-6	ML11173A087	12/03/2010	2010/12/03 STP COL - Open Items participants
21-7	ML11173A086	12/08/2010	2010/12/08 STP COL - Open Items call 12/8
21-8	ML11173A085	12/15/2010	2010/12/15 STP COL - Open Items call 12/15
21-9	ML11173A084	12/22/2010	2010/12/22 STP COL - Open Items call 12/22/2010 participants
21-10	ML11173A083	12/29/2010	2010/12/29 STP COL - OI call 12/29/2010 participants
21-11	ML11173A082	01/06/2011	2011/01/06 STP COL - 1/5/2011 open items telecon STP
21-12	ML11173A081	01/12/2011	2011/01/12 STP COL - Participants in Open Item call 1/12/2011
21-13	ML11173A414	01/18/2011	2011/01/18 STP COL - STP - Proprietary Review of FIV Audit Report (Non-Public)
21-14	ML110600761	02/28/2011	WCAP-17370-NP, Revision 0, "South Texas Project Unit 3 Comprehensive Vibration Assessment Program Measurement Test and Inspection Plan."
21-15	ML11173A236	03/22/2011	2011/03/22 STP COL - STP Chapter 17 Advanced Phase 4 SER
21-16	ML11173A237	03/23/2011	2011/03/23 STP COL - STP Chapter 1 Advanced Phase 4 SER
21-17	ML11117A159	04/11/2011	South Texas Project, Units 3 & 4, Response to Request for Additional Information (RAI) Reviewer's Guide to Support Review of COLA Part 2, Tier 2, Chapters 3.7 and 3.8.
21-18	ML111040433	04/18/2011	Request For Additional Information Re: South Texas Project Nuclear Operating Company Topical Report (TR) WCAP-17203-P, Fast Transient and ATWS Methodology.

	Accession Number	Document Date	Title/Description
21-19	ML111050109	04/18/2011	Request For Additional Information Re: South Texas Project Nuclear Operating Company Topical Report (TR) WCAP-17202-P, Supplement 4 to Bison Topical Report RPA 90-90 P-A.
21-20	ML11119A076	04/26/2011	South Texas Project, Units 3 & 4, Revised Response to Request for Additional Information, Letter Number 407 Related to Combined License Application Part 2, Tier 2, Section 12.2.
21-21	ML111101705	05/05/2011	Request For Withholding Information From Public Disclosure For South Texas Project Units 3 and 4 (01/18/11).
21-22	ML11143A054	05/16/2011	South Texas Project, Units 3 and 4, Supplemental Response to Request for Additional Information, 03.07.01-27 and 03.08.04-30.
21-23	ML11173A152	05/24/2011	2011/05/24 STP COL - 5/25/11 NINA OI call
21-24	ML11173A163	05/24/2011	2011/05/24 STP COL - FW: Revision 5 Page
21-25	ML11173A250	05/24/2011	2011/05/24 STP COL - FW: STP Chapter 2 ACRS Action Item
21-26	ML111650439	05/26/2011	Enclosure 7, Tabletop Exercises: Risk Managed Technical Specifications (RMTS).
21-27	ML11173A151	05/26/2011	2011/05/26 STP COL - Meeting Cancellation PDF
21-28	ML11173A314	05/26/2011	2011/05/26 STP COL - Audit Plan for TSC Dose
21-29	ML111430586	05/27/2011	Sections 2.1 through 2.3 - Advanced Safety Evaluation for Chapter 2 "Site Characteristics.
21-30	ML111430590	05/27/2011	Section 2.5 - South Texas Project Units 3 and 4 Combined License Application Advanced Safety Evaluation for Chapter 2 "Site Characteristics."
21-31	ML111450734	05/27/2011	Section 2.4 - Advanced Safety Evaluation For Chapter 2 "Site Characteristics."
21-32	ML111450759	05/27/2011	ACRS Memorandum To E. Hackett - re: South Texas Project, Units 3 and 4, Advanced Safety Evaluation.
21-33	ML111540325	05/31/2011	05/23/2011-05/27/2011-Action Items For Sections 3.7 and 3.8.
21-34	ML111540326	05/31/2011	Punch List For STP Units 3 and 4 - Sections 3.7 and 3.8.
21-35	ML11173A150	05/31/2011	2011/05/31 STP COL - 6/1/11 NINA OI call
21-36	ML11173A184	05/31/2011	2011/05/31 STP COL - FW: Fuel Rack RAI response schedule

	Accession Number	Document Date	Title/Description
21-37	ML11173A403	05/31/2011	2011/05/31 STP COL - FW: Fuel Rack RAI response schedule
21-38	ML111330693	06/01/2011	Memorandum To ACRS: South Texas Project Units 3 and 4, Combined License Application - Advanced Safety Evaluation For Chapter 12, "Radiation Protection."
21-39	ML111330697	06/01/2011	SER Phase 4 - Chapter 12, "Radiation Protection"
21-40	ML111330705	06/01/2011	Letter To Applicant: South Texas Project Units 3 and 4, Combined License Application - Advanced Safety Evaluation For Chapter 12, "Radiation Protection."
21-41	ML111450769	06/01/2011	South Texas Project, Units 3 & 4 - Combined License Application - Safety Evaluation For Chapter 2, "Site Characteristics".
21-42	ML11173A169	06/01/2011	2011/06/01 STP COL - Chapter 2.5 PROP determination and Fact Check
21-43	ML11173A171	06/01/2011	2011/06/01 STP COL - Chapter 2.4 PROP determination and Fact Check
21-44	ML11173A172	06/01/2011	2011/06/01 STP COL - Chapter 2.1-2.3 PROP determination and Fact Check
21-45	ML11173A173	06/01/2011	2011/06/01 STP COL - Chapter 2 PROP determination and Fact Check
21-46	ML11173A183	06/01/2011	2011/06/01 STP COL - FW: Open Items call 6/1/11, Subsection 19.9.3
21-47	ML11173A397	06/01/2011	2011/06/01 STP COL - STP - Ch 3.7/3.8 RAI Histories
21-48	ML11173A398	06/01/2011	2011/06/01 STP COL - FW: STP - Post Audit Documents
21-49	ML11173A369	06/02/2011	2011/06/02 STP COL - STP - VRR Access for SEB2 Contractors
21-50	ML11173A370	06/02/2011	2011/06/02 STP COL - STP - Ch 3.7/3.8 RAI Histories Update
21-51	ML11173A417	06/02/2011	2011/06/02 STP COL - STP Chapter 12 Advanced Phase 4 SER (NON PUBLIC)
21-52	ML111540051	06/03/2011	Request For Additional Information Letter No. 378 Related To SRP Section 03.07.01 For The South Texas Project Combined License Application.
21-53	ML11173A366	06/03/2011	2011/06/03 STP COL - TP - Draft Audit Report Pre-release
21-54	ML11173A367	06/03/2011	2011/06/03 STP COL - May 23-27, 2011 Attendees
21-55	ML11173A368	06/03/2011	2011/06/03 STP COL - RAI 5823 - DOE Letter
21-56	ML11173A109	06/06/2011	2011/06/06 STP COL - FW: STP TSC rad. habitability - draft audit report
21-57	ML11173A309	06/06/2011	2011/06/06 STP COL - STP34 attendees for 6/21 ACRS

	Accession Number	Document Date	Title/Description
21-58	ML11173A365	06/06/2011	2011/06/06 STP COL - June 8, 2011 FIV Telecon Issues
21-59	ML111540152	06/07/2011	05/05/2011-Summary of A Closed Meeting With Nuclear Innovation North America, LLC on the Status of Chapter 3.9.2 Held in Rockville, MD.
21-60	ML11173A072	06/07/2011	2011/06/07 STP COL - RE: STP Chapter 12 Advanced Phase 4 SER (NON PUBLIC)
21-61	ML11173A147	06/07/2011	2011/06/07 STP COL - 6/8/11 NINA OI call
21-62	ML11173A148	06/07/2011	2011/06/07 STP COL - Revised Draft Agenda for NINA 6/21/11 ACRS meeting
21-63	ML11173A194	06/07/2011	2011/06/07 STP COL - FW: STP 3 & 4: Chapter 2 SER Review for Proprietary Information
21-64	ML11173A218	06/07/2011	2011/06/07 STP COL - FW: STP 3 & 4: Chapter 2 SER Review for Proprietary Information
21-65	ML11173A219	06/07/2011	2011/06/07 STP COL - FW: Chapter 5 SER
21-66	ML11173A308	06/07/2011	2011/06/07 STP COL - RE: STP34 attendees for 6/21 ACRS
21-67	ML11160A072	06/08/2011	South Texas Project, Units 3 and 4, Supplemental Response to Request for Additional Information Letter 359 Related Combined License Application Part 2, Tier 2, Sections 6C and 4.4.
21-68	ML11173A307	06/08/2011	2011/06/08 STP COL - RE: ACRS Action Item #87
21-69	ML11173A364	06/08/2011	2011/06/08 STP COL - STP - Chapters 3.7/3.8 RAI Histories
21-70	ML11178A003	06/09/2011	2011/06/09 STP COL - FW: NRC Summary MW Rates of Growth file
21-71	ML11173A094	06/10/2011	2011/06/10 STP COL - FW: STP participants in 3738 open items call on 2/16
21-72	ML11173A110	06/10/2011	2011/06/10 STP COL - FW: Open Items call 2/16 participants
21-73	ML11173A111	06/10/2011	2011/06/10 STP COL - FW: Open Items call 1/19/2011
21-74	ML11173A112	06/10/2011	2011/06/10 STP COL - FW: Attendees for Tuesday
21-75	ML11173A113	06/10/2011	2011/06/10 STP COL - FW: Open Items call on 3/4/11
21-76	ML11173A114	06/10/2011	2011/06/10 STP COL - FW: STP participant in OI call on 3-15-2011
21-77	ML11173A115	06/10/2011	2011/06/10 STP COL - FW: STP participants in 3/23/11 open items call
21-78	ML11173A117	06/10/2011	2011/06/10 STP COL - FW: STP participants in OI call 3-30-2011

	Accession Number	Document Date	Title/Description
21-79	ML11173A120	06/10/2011	2011/06/10 STP COL - FW: STP participants in OI call on 4/13/2011
21-80	ML11173A121	06/10/2011	2011/06/10 STP COL - FW: Open Items call participants 4/20 and 4/27
21-81	ML11173A122	06/10/2011	2011/06/10 STP COL - FW: STP participants in Open Items call 5/4/2011
21-82	ML11173A123	06/10/2011	2011/06/10 STP COL - FW: STP participants in OI call on May 11, 2011
21-83	ML11173A134	06/10/2011	2011/06/10 STP COL - FW: STP participants in Open Items call 5/25/11
21-84	ML11173A135	06/10/2011	2011/06/10 STP COL - FW: STP participants in Open Items call 6/1/11
21-85	ML11173A137	06/10/2011	2011/06/10 STP COL - FW: STP participants OI call 6/8/11
21-86	ML11173A144	06/10/2011	2011/06/10 STP COL - FW: STP34 DRAFT Ch 12 presentation to ACRS
21-87	ML11173A146	06/10/2011	2011/06/10 STP COL - FW: STP Chapter 12 Advanced Phase 4 SER (NON PUBLIC)
21-88	ML11173A193	06/10/2011	2011/06/10 STP COL - FW:
21-89	ML11173A188	06/13/2011	2011/06/13 STP COL - FW: STP ACRS Chapter 5 action item slides
21-90	ML11173A191	06/13/2011	2011/06/13 STP COL - FW: Draft Slides for STP 3 & 4 Chapter 2 Presentation to ACRS on 06/21/2011
21-91	ML11173A192	06/13/2011	2011/06/13 STP COL - FW: STP ACRS Chapter 5 action item slides
21-92	ML111590287	06/14/2011	Regulatory Audit Summary of South Texas Project, Units 3 and 4 COL Application - Radiological Habitability Dose Calculations for Technical Support Center.
21-93	ML11173A076	06/14/2011	2011/06/14 STP COL - 6/15/11 NINA OI call
21-94	ML11173A363	06/14/2011	2011/06/14 STP COL - RE:
21-95	ML111610192	06/15/2011	Audit Plan of Nuclear Innovation North America, LLC, COL Application Chapters 3.9.1 and 3.9.2 - Regulatory Audit of Computer Program Accountic-2.
21-96	ML11173A362	06/15/2011	2011/06/15 STP COL - STP - Monday (June 20) Visit
21-97	ML11168A168	06/16/2011	South Texas Project, Units 3 & 4, Response to Request for Additional Information Letter No. 378 Related to Combined License Application Part 2, Tier 2, Section 3.7.1.
21-98	ML11168A169	06/16/2011	South Texas Project Units 3 and 4 Operator Licensing National Examination Schedule.
21-99	ML11173A068	06/16/2011	2011/06/16 STP COL - FW: STP 3 & 4 TSC Dose Determination

	Accession Number	Document Date	Title/Description
21-100	ML11173A182	06/16/2011	2011/06/16 STP COL - FW: STP 3 & 4 TSC Dose Determination
21-101	ML11173A360	06/16/2011	2011/06/16 STP COL - RE: STP - Monday (June 20) Visit
21-102	ML11173A361	06/16/2011	2011/06/16 STP COL - June 20 to July 1 Leave
21-103	ML11173A401	06/16/2011	2011/06/16 STP COL - FW: Transmittal of Letter U7-C-NINA-NRC-110082
21-104	ML11173A317	06/17/2011	2011/06/17 STP COL - June 22 telecon Agenda
21-105	ML11173A059	06/20/2011	2011/06/20 STP COL - Ch. 1 General Financials DRAFT RAI
21-106	ML11173A075	06/20/2011	2011/06/20 STP COL - FW: DRAFT STP 3&4 D-RAP presentation for ACRS 6/21
21-107	ML11173A181	06/20/2011	2011/06/20 STP COL - FW: Latest Agenda for 6/21/11 ABWR SC
21-108	ML11173A187	06/20/2011	2011/06/20 STP COL - FW: ADCIRC Presentation - August 31, 2010 Audit in Bay City (Part 1 of 3)
21-109	ML11173A305	06/20/2011	2011/06/20 STP COL - RE: Section 3.7 & 3.8 Actions - Updated June 16, 2011
21-110	ML11173A306	06/20/2011	2011/06/20 STP COL - FW: ACRS Presentation
21-111	ML111721655	06/21/2011	05/26/2011 Summary of Public Meeting to Perform Tabletop Exercises Regarding Guidance on Risk-Informed Technical Specifications Initiative 4B and Maintenance Rule 50.65(A)(4) for New Reactors.
21-112	ML111721904	06/21/2011	Enclosure 3, Risk Management Technical Specification Initiative 4B, Risk-Informed Completion Times: Common Starting Point Terminology Description/Example.
21-113	ML111721918	06/21/2011	Enclosure 4, ABWR Case Studies for RITS 4B and Maintenance Rule 50.65(a)(4).
21-114	ML111721947	06/21/2011	Enclosure 5, AP1000 Case Studies for RITS 4B and Maintenance Rule 50.65(a)(4).
21-115	ML111721955	06/21/2011	Enclosure 6, Maintenance Rule (A)(4) Background & Experience.
21-116	ML11173A074	06/21/2011	2011/06/21 STP COL - 6/22/11 NINA OI call
21-117	ML11173A400	06/21/2011	2011/06/21 STP COL - FW: Revised STP ACRS Item List ?

**Attachment 2 South Texas Project COL Hearing File and Mandatory Disclosures
List of Documents Withheld – Proprietary Information, Security-Related Information, and Safeguards Information
Update 21 – July 1, 2011**

Pursuant to the Initial Scheduling Order issued by the Licensing Board on October 20, 2009, the Staff is providing this list to identify the following documents withheld as proprietary, security-related, or Safeguards Information, and subject to protected status under Section 2.390.

	Accession Number	Author Name/ Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Pages
21-1	ML110600771	Libs T W Ramani V A, Westinghouse Electric Co, LLC	WCAP-17370-P, Revision 0, "South Texas Project Unit 3 Comprehensive Vibration Assessment Program Measurement, Test, and Inspection Plan."	02/28/2011	Inspection Plan Report, Technical	NRC/NRO	Proprietary Information	47

Attachment 3

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
NUCLEAR INNOVATION NORTH)
AMERICA LLC) Docket Nos. 52-012 & 52-013
)
(South Texas Project, Units 3 & 4))

AFFIDAVIT OF ROCKY FOSTER CONCERNING
MANDATORY DISCLOSURE REQUIREMENTS

I, Rocky Foster, do hereby state as follows:

1. I am employed as a Project Manager in the BWR Projects Branch of the Division of New Reactor Licensing in the Nuclear Regulatory Commission's ("NRC") Office of New Reactors. I serve as a project manager for the NRC's review of the Combined License Application submitted by Nuclear Innovation North America LLC, at issue in this proceeding.

2. In accordance with 10 C.F.R. § 2.336(c), I hereby certify that all relevant materials required to be disclosed in the captioned proceeding have been disclosed and that the disclosures are accurate and complete for documents identified as of June 15, 2011.

3. In accordance with the Board's Initial Scheduling Order of October 20, 2009, the NRC staff conducted a reasonable good faith search for all documents or information, including electronically stored information, subject to the mandatory disclosure and hearing file requirements and the disclosure or production excludes only (a) documents or information exempted from disclosure pursuant to the law, including NRC regulations or this order, and (b) information that is not reasonably accessible because of undue burden or cost. The NRC staff has not excluded any information due to it not being reasonably accessible because of undue burden or cost.

4. I hereby certify under penalty of perjury that the foregoing is true and complete to the best of my knowledge, information, and belief.

Executed in Accord with 10 CFR § 2.304(d)

Rocky Foster
Project Manager, BWR Projects Branch
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
Mail Stop T6-D38M
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Executed in Rockville, MD
this 29th day of June 2011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
NUCLEAR INNOVATION NORTH)
AMERICA LLC) Docket Nos. 52-012 & 52-013
)
(South Texas Project, Units 3 & 4))

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated July 1, 2011, providing notice of the availability of the twenty-first update to the hearing file and mandatory disclosures made pursuant to 10 C.F.R. § 2.336, with attachments, together with the affidavit of Rocky Foster, have been served upon the following persons by Electronic Information Exchange this 1st day of July 2011:

Administrative Judge
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