

September 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 Stacy Joseph.

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/
Michael Spencer
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-15 D21
Washington, DC 20555-0001
(301) 415-4073
Michael.Spencer@nrc.gov

Enclosures: Attachment 1: Hearing File Index
Attachment 2: List of Documents Withheld
Attachment 3: Affidavit of Stacy Joseph

.Attachment 1**South Texas Project COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 23 – September 1, 2011**

	Accession Number	Document Date	Title/Description
23-1	ML11235A679	08/19/2010	2010/08/19 STP COL - FW: Transmittal of Letter U7-C-STP-NRC-100193
23-2	ML11187A138	08/31/2010	South Texas Project, Units 3 and 4 - ADCIRC - August 2010 Audit Presentation.
23-3	ML11235A689	04/13/2011	2011/04/13 STP COL - Transmittal of Letter U7-C-NINA-NRC-110064
23-4	ML11182A562	06/29/2011	South Texas Project Units 3 & 4, STP Main Cooling Reservoir Dam - Emergency Action Plan.
23-5	ML11181A002	06/28/2011	South Texas Project, Units 3 and 4 - Supplemental Response to Request for Additional Information.
23-6	ML111680225	06/30/2011	Audit Report Regarding The South Texas Projects, Units 3 And 4, Source Term Assessment Used To Support Chapter 12 Of The South Texas Projects, Units 3 And 4, Final Safety Analysis Report.
23-7	ML11188A245	06/30/2011	South Texas Project, Units 3 & 4, Steam Dryer Flow-Induced Vibration Assessment Report (Unit 3).
23-8	ML11188A246	06/30/2011	WCAP-17385-NP, Rev. 2, "South Texas Project Unit 3 Steam Dryer Flow-Induced Vibration Assessment."
23-9	ML112070041	07/26/2011	2011 NINA/South Texas Project COLA Item Status Counts.
23-10	ML11235A702	07/26/2011	2011/07/26 STP COL - RE: STP OI Telecom 7/27/2011 Agenda
23-11	ML11235A711	07/26/2011	2011/07/26 STP COL - Revision 6 13.6 Mark-up
23-12	ML11235A827	07/26/2011	2011/07/26 STP COL - STP - July 27 Telecon on 3.9.2
23-13	ML11213A094	07/27/2011	South Texas Project, Units 3 and 4, Supplemental Response to Request for Additional Information.
23-14	ML11235A712	07/27/2011	2011/07/27 STP COL - DRAFT RAI for Chapter 16
23-15	ML11235A709	07/28/2011	2011/07/28 STP COL - Re: Sentence from Barry
23-16	ML112101602	07/29/2011	Request for Additional Information Letter No. 382 Related To SRP Section I for The South Texas Project COL Application.

	Accession Number	Document Date	Title/Description
23-17	ML11235A695	07/29/2011	2011/07/29 STP COL - (COURTESY COPY) Request For Additional Information Letter No. 382 Related To SRP Section 16 For The South Texas Project COL Application
23-18	ML11235A717	07/29/2011	2011/07/29 STP COL - Request For Additional Information Letter No. 382 Related To SRP Section 16 For The South Texas Project COL Application
23-19	ML112020190	08/01/2011	07/13/2011-Summary of Weekly Conference Call Mtgs. To Discuss Open Items and Outstanding RAI Responses Relating To NINA's STP Units 3 and 4 COL Application.
23-20	ML112020217	08/01/2011	07/13/2011-NINA Open Items Telephone Communication Master List.
23-21	ML112061082	08/01/2011	Open Item Table - 2011 NINA/STP COLA Item Status Counts.
23-22	ML11216A224	08/01/2011	South Texas Project, Units 3 and 4, Response to Request for Additional Information, Letter Number 377 Related to Combined License Application Part 2, Tier 2, Section 9.1, "Fuel Storage and Handling."
23-23	ML11235A707	08/01/2011	2011/08/01 STP COL - Proposed 13.6 wording
23-24	ML11235A825	08/01/2011	2011/08/01 STP COL - August 1, 2011 Wednesday Call - 3.9.2 Questions
23-25	ML112070576	08/02/2011	07/20/2011-Summary of Weekly Conference Call Meeting To Discuss Open Items and Outstanding RAI Responses Relating To NINA's South Texas Project, Units 3 and 4 COL Application.
23-26	ML112070616	08/02/2011	Enclosure 2 - 07/20/2011-NINA Open Items Telephone Communication Master List.
23-27	ML112140021	08/02/2011	2011 NINA/South Texas Project COLA Item Status Count - 8-3/11.
23-28	ML112140091	08/02/2011	South Texas Project, Request For Additional Information Letter No. 383 Related To SRP Section 03.09.01 For Combined License Application.
23-29	ML112140189	08/02/2011	07/27/2011-Soil Pressure Summary.
23-30	ML112140192	08/02/2011	07/27/2011- Evaluation of D.O.E. SASSI Subtraction Method Analysis Recommendations.
23-31	ML112140194	08/02/2011	South Texas Project Audit - FSAR Section 3.7 - RAI 03.07.01-29 SASSI Issues Raised By The DNFSB-Letter to DOE.
23-32	ML11235A701	08/02/2011	2011/08/02 STP COL - NINA OI Meeting Agenda for August 3, 2011

	Accession Number	Document Date	Title/Description
23-33	ML11235A716	08/02/2011	2011/08/02 STP COL - Request For Additional Information Letter No. 383 Related To SRP Section 03.09.01 For The South Texas Project COL Application
23-34	ML11235A824	08/02/2011	2011/08/02 STP COL - STP - RAI 5952 ACSTIC2
23-35	ML11235A821	08/03/2011	2011/08/03 STP COL - STP - RWB Classification and Dose release
23-36	ML11217A222	08/04/2011	South Texas Project, Units 3 & 4, Response to Request for Additional Information Letter No. 379 Related to Combine License Application Part 1, General and Financial Information.
23-37	ML11235A818	08/04/2011	2011/08/04 STP COL - FW: Draft Response to RAI 16-71
23-38	ML11235A820	08/04/2011	2011/08/04 STP COL - FW: Section 3.7 & 3.8 Actions - Updated July 28, 2011
23-39	ML112150153	08/05/2011	07/27/2011-Summary of Weekly Conference Call Meeting To Discuss Open Items and Outstanding RAI Responses Relating To NINA's South Texas Project, Units 3 and 4 COL Application on July 27, 2011.
23-40	ML112150157	08/05/2011	07/27/2011 List of Participants For Meeting.
23-41	ML11235A817	08/05/2011	2011/08/05 STP COL - STP _ August 10, 2011 Discussion Items
23-42	ML11235A688	08/08/2011	2011/08/08 STP COL - FW: Target Schedule for FIV Questions
23-43	ML11235A697	08/08/2011	2011/08/08 STP COL - FW: OI call BNL question (2) on RAI 09.01.02-7
23-44	ML11235A705	08/08/2011	2011/08/08 STP COL - FW: Response to Request for Additional Information Letter No. 379
23-45	ML11235A814	08/08/2011	2011/08/08 STP COL - STP - RAI 5870 (FMCRD loads)
23-46	ML11235A815	08/08/2011	2011/08/08 STP COL - STP - Misc Items
23-47	ML11235A816	08/08/2011	2011/08/08 STP COL - FW: Write-up for Proposed ACSTIC2 Actions
23-48	ML112210707	08/09/2011	2011 NINA/South Texas Combined License Application Items Status Count.
23-49	ML11235A700	08/09/2011	2011/08/09 STP COL - OI Telecom 8/10/11 Agenda

	Accession Number	Document Date	Title/Description
23-50	ML111960322	08/10/2011	Summary of Weekly Conference Call Meetings To Discuss Open Items and Outstanding Requests for Additional Information Responses Relating Nuclear Innovation North America's South Texas Project Units 3 and 4 Combined License Application On July 6, 2011.
23-51	ML112160224	08/10/2011	08/03/2011-Summary of Weekly Conference Call Meeting To Discuss Open Items and Outstanding RAI Responses Relating To NINA's South Texas Project, Units 3 and 4 COL Application.
23-52	ML112160232	08/10/2011	08/03/2011-NINA Open Items Telephone Communication Attendees List.
23-53	ML11235A813	08/10/2011	2011/08/10 STP COL - Wednesday pm call
23-54	ML11236A248	08/10/2011	2011/08/10 STP COL - FW: Calc Pages for Punch List Item 111
23-55	ML112160142	08/11/2011	Audit Report - July 27, 2011 - Audit of Nuclear Innovation North America, LLC, COL Application Seismic Analyses.
23-56	ML112231147	08/15/2011	08/10/2011-Summary of Weekly Conference Call Meeting To Discuss Open Items and Outstanding RAI Responses Relating To NINA's South Texas Project, Units 3 and 4 COL Application
23-57	ML112231260	08/15/2011	Enclosure 1 - NINA Open Items Telephone Communication Attendees List For August 10, 2011, Conference Call.
23-58	ML11229A765	08/15/2011	South Texas Project, Units 3 & 4, Response to Request for Additional Information, Letter Number 382 Related to SRP Section 16.
23-59	ML11229A766	08/15/2011	South Texas Project, Units 3 and 4, Response to Request for Additional Information, (RAI) Letter Number 380 Related to SRP Section 3.9.4.
23-60	ML11235A683	08/15/2011	2011/08/15 STP COL - FW:
23-61	ML11235A810	08/15/2011	2011/08/15 STP COL - FW:
23-62	ML11235A811	08/15/2011	2011/08/15 STP COL - STP _ August 17, 2011 Discussion Items
23-63	ML11235A812	08/15/2011	2011/08/15 STP COL - STP - Table 3.2-1 Errata

	Accession Number	Document Date	Title/Description
23-64	ML112200608	08/16/2011	Request for Withholding Information from Public Disclosure for STP Units 3&4-"Request for Additional Information Re: South Texas Project Nuclear Operating Company Topical Report WCAP-17116-P, Revision 0, Supplement 5, Application To The ABWR."
23-65	ML11235A699	08/16/2011	2011/08/16 STP COL - STP Open Items Telecom Agenda for August 17, 2011
23-66	ML112290721	08/17/2011	Request For Additional Information Letter No. 384 Related To SRP Section 03.08.04 For The South Texas Project COL Application.
23-67	ML112300017	08/17/2011	2011 NINA/South Texas Project COLA Item Status Count 8-17-11.
23-68	ML112310608	08/17/2011	Enclosure 1 - NINA Open Items Telephone Communication Attendee's List For August 17, 2001.
23-69	ML11234A270	08/17/2011	South Texas Project Units 3 & 4, Revised Response to Request for Additional Information.
23-70	ML11235A696	08/17/2011	2011/08/17 STP COL - Fuel Drop RAI Response Assessment 081511 R3.docx
23-71	ML11235A715	08/17/2011	2011/08/17 STP COL - Request For Additional Information Letter No. 384 Related To SRP Section 03.08.04 For The South Texas Project COL Application
23-72	ML11235A807	08/17/2011	2011/08/17 STP COL - STP - RWB Classification Comments
23-73	ML11235A808	08/17/2011	2011/08/17 STP COL - STP - RAI 5991 for RWB Classification
23-74	ML11235A809	08/17/2011	2011/08/17 STP COL - STP - FMGRD Spec Discussion Today
23-75	ML11235A805	08/18/2011	2011/08/18 STP COL - RE: STP - 7/27 Audit Feedback (Preliminary)
23-76	ML11235A806	08/18/2011	2011/08/18 STP COL - STP - 7/27 Audit Feedback (Preliminary)
23-77	ML112310561	08/22/2011	08/17/2011-Summary of Weekly Conference Call Meeting To Discuss Open Items and Outstanding RAI Responses Relating To NINA's South Texas Project, Units 3 and 4 COL Application.
23-78	ML11235A693	08/22/2011	2011/08/22 STP COL - RE: Member Brown response to ACRS Action Item 87
23-79	ML11235A703	08/22/2011	2011/08/22 STP COL - Member Brown response to ACRS Action Item 87
23-80	ML11235A803	08/22/2011	2011/08/22 STP COL - STP -
23-81	ML11235A804	08/22/2011	2011/08/22 STP COL - STP _ August 24, 2011 Discussion Items
23-82	ML11236A250	08/23/2011	2011/08/23 STP COL - FW: NINA Open Items Telecom Agenda for August 24, 2011

	Accession Number	Document Date	Title/Description
23-83	ML11241A228	08/29/2011	2011/08/29 STP COL - FW: Section 3.7 & 3.8 Actions - Updated August 5, 2011
23-84	ML11241A229	08/29/2011	2011/08/29 STP COL - FW: Target Schedule for FIV Questions

**Attachment 2 South Texas Project COL Hearing File and Mandatory Disclosures
List of Documents Withheld – Proprietary Information, Security-Related Information, and Safeguards Information
Update 23 – September 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
23-1	Fujikawa K K, Westinghouse Electric Co, LLC	WCAP-17385-P, Rev. 2, "South Texas Project Unit 3 Steam Dryer Flow- Induced Vibration Assessment," Cover through Page 5-54.	06/30/2011	Report, Technical	NRC/NRO	Proprietary Information	89
23-2	Fujikawa K K, Westinghouse Electric Co, LLC	WCAP-17385-P, Rev. 2, "South Texas Project Unit 3 Steam Dryer Flow- Induced Vibration Assessment," Page 5-55 through End.	06/30/2011	Report, Technical	NRC/NRO	Proprietary Information	93
23-3	Westinghouse Electric Co, LLC	South Texas Project, Units 3 and 4 - Attachments 1 & 3, Project Schedule Information and Fuel Related Schedule.	08/02/2011	Schedule and Calendars	NRC/NRO	Proprietary Information	5

Attachment 3

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
)
STP NUCLEAR OPERATING COMPANY) Docket Nos. 52-012 & 52-013
)
)
(South Texas Project, Units 3 & 4))

AFFIDAVIT OF STACY JOSEPH CONCERNING
MANDATORY DISCLOSURE REQUIREMENTS

I, Stacy Joseph, do hereby state as follows:

1. I am employed as a Project Manager in the NGE 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 STP Nuclear Operating Company, 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 August 15, 2010.

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)

Stacy Joseph
Project Manager, BWR Projects Branch
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
Mail Stop T6-D38M
Washington, DC 20555-0001
(301) 415-2849
Stacy.Joseph@nrc.gov

Executed in Rockville, MD
this 30th day of August, 2010

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 September 1, 2011, providing notice of the availability of the twenty-third update to the hearing file and mandatory disclosures made pursuant to 10 C.F.R. § 2.336, with attachments, together with the affidavit of Stacy Joseph, have been served upon the following persons by Electronic Information Exchange this 1st day of September 2011:

Administrative Judge
Michael M. Gibson
Atomic Safety and Licensing Board Panel
Mail Stop – T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
(E-mail: Michael.Gibson@nrc.gov)

Office of Commission Appellate
Adjudication
Mail Stop O-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail:OCAAmail@nrc.gov

Administrative Judge
Gary S. Arnold
Atomic Safety and Licensing Board Panel
Mail Stop – T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
(E-mail: Gary.Arnold@nrc.gov)

Office of the Secretary
ATTN: Docketing and Service
Mail Stop: O-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: HEARINGDOCKET@nrc.gov

Administrative Judge
Randall J. Charbeneau
Atomic Safety and Licensing Board Panel
Mail Stop – T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
(E-mail: Randall.Charbeneau@nrc.gov)

Robert V. Eye, Esq.
Brett A. Jarmer, Esq.
Counsel for the Intervenor
Kauffman & Eye
Suite 202
112 SW 6th Ave.
Topeka KS 66603
bob@kauffmaneye.com
brett@kauffmaneye.com

Steven P. Frantz, Esq.
Stephen J. Burdick, Esq.
Alvin Gutterman, Esq.
John E. Matthews, Esq.
Charles B. Moldenhauer, Esq.
Counsel for the Applicant
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Ave., NW
Washington, DC 20004
E-mail:
sfrantz@morganlewis.com
sburdick@morganlewis.com
agutterman@morganlewis.com
jmatthews@morganlewis.com
cmoldenhauer@morganlewis.com

/signed (electronically) by/
Michael Spencer
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-15 D21
Washington, DC 20555-0001
(301) 415-4073
Michael.Spencer@nrc.gov