

December 22,2011

MEMORANDUM TO: Edwin M. Hackett, Executive Director
Advisory Committee on Reactor Safeguards

FROM: David B. Matthews, Director **/RA Frank Akstulewicz for/**
Division of New Reactor Licensing
Office of New Reactors

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4,
COMBINED LICENSE APPLICATION - SAFETY EVALUATION WITH
OPEN ITEMS FOR CHAPTER 13, "CONDUCT OF OPERATIONS"

By letter dated September 19, 2008, as supplemented by letters dated November 4, 5, 6, and 10, 2008, and December 18, 2008, Luminant Generation Company, LLC. (Luminant) and Comanche Peak Nuclear Power Company, LLC., submitted an application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for two United States - Advanced Pressurized Water Reactor designs, pursuant to Title 10 of the *Code of Federal Regulations* Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants."

Based on our review of the application, the staff is providing the Advisory Committee on Reactor Safeguards (ACRS) its Safety Evaluation (SE), with Open Items for Chapter 13, "Conduct of Operations," (Agencywide Documents Access and Management System (ADAMS) Accession Number ML113490069). However, Section 13.6, "Physical Security," and Section 13.7, "Fitness for Duty," are currently under review by the staff and are not provided as part of this SE. Unless otherwise stated in the SE, the NRC staff's review was based on Revision 1 of the COL application. The SE is being provided to support an upcoming meeting of the subcommittee of the ACRS, which has yet to be scheduled. The ACRS full committee meeting will be held after the subcommittee meeting.

In accordance with the memorandum to the ACRS dated March 17, 2010 (ML100700612), the staff has reviewed the submitted information against the categories for which the ACRS requested be used to highlight information for review by the committee. The staff's assessment of this chapter is that there are no items that meet the categories for discussion with the Committee.

CONTACTS: Michael Takacs, NRO/DNRL
301-415-7871

Stephen Monarque, NRO/DNRL
301-415-1544

The staff concludes that the SE does not contain any information exempt from public disclosure. However, the NRC will withhold the SE from public disclosure for ten business days to allow Luminant the opportunity to verify the staff's conclusion that the SE contains no such exempt information. Therefore, the staff requests that the ACRS withhold the SE from public disclosure until it has been released publicly in ADAMS.

The staff will inform the ACRS immediately if Luminant requests that any of the information in the SE be withheld from public disclosure.

Docket Nos. 52-034 and 52-035

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The staff will inform the ACRS immediately if Luminant requests that any of the information in the SE be withheld from public disclosure.

Docket Nos. 52-034 and 52-035

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NAME	MTakacs	CSmith	SMonarque	HHamzehee	DMatthews (FAkstulewicz for)
DATE	12/21/2011	12/21/2011	12/21/2011	12/21/2011	12/22/2011

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