

April 2, 2012

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](http://www.nrc.gov), using the ADAMS "Find" function. Additionally, the Staff will have created a separate folder in the agency's Electronic Hearing Docket associated with this proceeding under the "Staff Discovery Materials" tab. Also attached, as required by § 2.336(c), is the Affidavit of Michael Eudy.

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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Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
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Enclosures: Attachment 1: Hearing File Index  
Attachment 2: List of Documents Withheld  
Attachment 3: Affidavit of Michael Eudy

**Attachment 1**

**South Texas Project COL Hearing File and Mandatory Disclosures  
Hearing File Index  
Update 30 – April 2, 2012**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
30-1	ML12079A349	01/31/2012	2012/01/31 STP COL - Drop-in
30-2	ML12079A360	02/13/2012	2012/02/13 STP COL - Spent Fuel Rack deliverables
30-3	ML12079A363	02/16/2012	2012/02/16 STP COL - Draft Agenda for Feb 2012 Audit (3)_C1.doc
30-4	ML12079A359	02/17/2012	2012/02/17 STP COL - FW: Spent Fuel Rack deliverables
30-5	ML12079A341	02/21/2012	2012/02/21 STP COL - FW: Call today?
30-6	ML12079A347	02/21/2012	2012/02/21 STP COL - NINA/STP OI Telecom agenda for February 22, 2012
30-7	ML12079A340	02/22/2012	2012/02/22 STP COL - STP - February 27, 2012 Audit Participants
30-8	ML12060A109	02/22/2012	South Texas Project, Units 3 and 4 - Response to Requests for Additional Information and Spent Fuel Rack Audit Information.
30-9	ML12079A338	02/23/2012	2012/02/23 STP COL - Feb 22 OI Call
30-10	ML12079A339	02/23/2012	2012/02/23 STP COL - RE: Transmittal of Letter U7-C-NINA-NRC-120013
30-11	ML12060A106	02/23/2012	South Texas Project, Units 3 & 4 - Response to Request for Additional Information.
30-12	ML12079A337	02/24/2012	2012/02/24 STP COL - NINA/STP OI Telecom agenda for February 29, 2012
30-13	ML12065A425	02/28/2012	South Texas Project, Units 3 and 4 - Response to Requests for Additional Information.
30-14	ML12065A347	02/29/2012	South Texas Project Units 3 and 4, Response to Request for Additional Information.
30-15	ML120620324	03/02/2012	Slides - South Texas Project Units 3 & 4 Combined License Application – Financial Qualifications Issues – Foreign Ownership, Control or Domination (FOCD) Issues.
30-16	ML12079A336	03/05/2012	2012/03/05 STP COL - FW: Please call before you leave
30-17	ML12079A329	03/06/2012	2012/03/06 STP COL - STP Fuel Rack BNL RAI status table 03-06-2012 Rev 1.docx
30-18	ML120600674	03/06/2012	2/22/2012 - Summary of Weekly Conference Call Meeting To Discuss Open Items and Outstanding Request for Additional Information Responses Relating to Nuclear Innovation North America's South Texas Project Units 3 and 4 Combined License Application.

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
30-19	ML120650403	03/06/2012	Enclosure 1: NINA Open Items Telephone Communication Attendees List For February 22, 2012.
30-20	ML120580031	03/06/2012	NINA/STP Open Items Telecom Agenda for February 29, 2012.
30-21	ML12069A081	03/06/2012	South Texas Project, Units 3 and 4, Response to Requests for Additional Information.
30-22	ML120670109	03/08/2012	3/27/2012 - Notice Of Forthcoming Fukushima Lessons Learned Public Meeting With Nuclear Innovation North America, LLC For South Texas Project, Units 3 And 4.
30-23	ML12093A140	03/08/2012	FMCRD email (RAI 03.09.04-1)
30-24	ML12079A382	03/09/2012	2012/03/09 STP COL - NINA/STP OI Telecom agenda for March 14, 2012
30-25	ML12079A381	03/09/2012	2012/03/09 STP COL - STP - March 7, 2012 OI List Re-send
30-26	ML12079A379	03/12/2012	2012/03/12 STP COL - FW: ACRS Action # 80 on LTC - DRAFT - PUBLIC
30-27	ML12075A190	03/12/2012	South Texas Project, Units 3 and 4, Spent Fuel Rack Audit Information.
30-28	ML120720086	03/13/2012	Request For Withholding Information From Public Disclosure For South Texas Projects Units 3 and 4.
30-29	ML120720333	03/13/2012	Request For Withholding Information From Public Disclosure For South Texas Projects Units 3 And 4.
30-30	ML120660358	03/13/2012	Summary of A Meeting With Nuclear Innovation North America, LLC On General Financials And Foreign Ownership, Control And Domination Held In Rockville, Maryland On March 5, 2012
30-31	ML120690469	03/13/2012	Summary of Weekly Conference Call Meeting to Discuss Open Items and Outstanding Requests for Additional Information Responses Relating to Nuclear Innovation North America's South Texas Project Units 3 And 4 Combined License Application On February 29, 12.
30-32	ML12079A372	03/14/2012	2012/03/14 STP COL - RE: NINA/STP OI Telecom agenda for March 14, 2012
30-33	ML12079A371	03/15/2012	2012/03/15 STP COL - March 14 Attendees
30-34	ML12079A368	03/15/2012	2012/03/15 STP COL - March 29, 2012 draft Agenda
30-35	ML12079A369	03/15/2012	2012/03/15 STP COL - RE: March 14 Attendees

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
30-36	ML120370148	03/16/2012	03/29/2012 Notice of forthcoming Meeting With Nuclear Innovation North America, LLC To Discuss All Outstanding Issues In Chapter 3.9 To Support The South Texas Project Units 3 And 4 Combined License Application.
30-37	ML120740235	03/20/2012	NINA Open Items Telephone Communication Attendees List For March 7, 2012.
30-38	ML120720036	03/20/2012	NINA/STP Open Items Telcom Agenda for March 14, 2012.
30-39	ML120740113	03/20/2012	Summary of Weekly Conference Call Meeting to Discuss Open Items and Outstanding Requests For Additional Information Responses Relating To Nuclear Innovation North America's South Texas Project Units 3 and 4 Combined License Application On March 7, 2012.
30-40	ML120650472	03/22/2012	NINA/STP Open Items Telcom Agenda for March 7, 2012.

**Attachment 2                      South Texas Project COL Hearing File and Mandatory Disclosures  
List of Documents Withheld – Proprietary Information, Security-Related Information, and Safeguards Information  
Update 30 – April 2, 2012**

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.

<b>Accession Number</b>	<b>Author Name/ Affiliation:</b>	<b>Title/Description</b>	<b>Document Date</b>	<b>Document Type</b>	<b>Addressee / Addressee Affiliation</b>	<b>Comment</b>	<b>Pages</b>
30-1	Nuclear Innovation North America, LLC	South Texas Project, Units 3 and 4, Attachments 4 and 5, Response to Requests for Additional Information and Spent Fuel Rack Audit Information.	02/22/2012	Report, Technical	NRC/NRO	Proprietary Information	9
30-2	Nuclear Innovation North America, LLC	Attachments 4 and 5 to U7-C-NINA-NRC-120014, "Changes to Part I Tables 1.3-1 and 1.3-2" & "Summary Financial Projections".	02/23/2012	Report, Technical	NRC/NRO	Proprietary Information	12

	<b>Accession Number</b>	<b>Author Name/ Affiliation:</b>	<b>Title/Description</b>	<b>Document Date</b>	<b>Document Type</b>	<b>Addressee / Addressee Affiliation</b>	<b>Comment</b>	<b>Pages</b>
30-3	ML12065A426	Nuclear Innovation North America, LLC	South Texas Project, Units 3 and 4 - Attachments 7 and 8, Response to Requests for Additional Information.	02/28/2012	Report, Technical	NRC/NRO	Proprietary Information	8
30-4	ML12065A348	Nuclear Innovation North America, LLC	Response to RAI 03.09.01-2 Questions.	02/29/2012	Report, Technical	NRC/NRO	Proprietary Information	6
30-5	ML12069A082	Nuclear Innovation North America, LLC	South Texas Project, Units 3 and 4, Attachments 5 & 6 - Response to Requests for Additional Information.	03/06/2012	Report, Technical	NRC/NRO	Proprietary Information	9

	<b>Accession Number</b>	<b>Author Name/ Affiliation:</b>	<b>Title/Description</b>	<b>Document Date</b>	<b>Document Type</b>	<b>Addressee / Addressee Affiliation</b>	<b>Comment</b>	<b>Pages</b>
30-6	ML12075A191	Nuclear Innovation North America, LLC  Westinghouse Electric Co	Attachments 4 & 5 - RAI 09.01.02-23 Response Revision 1 and Westinghouse Internal Memo LTR- MRCDA-12-38, "STP Units 3 and 4 Fuel Storage Rack Buckling Methodology and Assessment, Revision 0-A."	03/12/2012	Report, Technical	NRC/NRO	Proprietary Information	17

**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 MICHAEL EUDY CONCERNING  
MANDATORY DISCLOSURE REQUIREMENTS

I, Michael Eudy, do hereby state as follows:

1. I am employed as a Project Manager in Licensing Branch 3 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 March 15, 2012.

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)**

Michael Eudy  
Project Manager, Licensing Branch 3  
Division of New Reactor Licensing  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D38M  
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Michael.Eudy@nrc.gov

Executed in Rockville, MD  
this 2nd day of April 2012

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 April 2, 2012, providing notice of the availability of the thirtieth update to the hearing file and mandatory disclosures made pursuant to 10 C.F.R. § 2.336, with attachments, together with the affidavit of Michael Eudy, have been served upon the following persons by Electronic Information Exchange this 2nd day of April 2012:

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**/signed (electronically) by/**  
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