

June 1, 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, 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 David Misenhimer, P.E.

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 David Misenhimer, P.E.

Attachment 1

**South Texas Project COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 32 – June 1, 2012**

	Accession Number	Document Date	Title/Description
32-1	ML121250370	04/17/2012	2012/04/17 STP COL - FW: STP 3&4 R-COLA Revision 7 Check
32-2	ML121250371	04/17/2012	2012/04/17 STP COL - STP Public Meeting 03-27-11 - List of Attendees PUBLIC
32-3	ML121250372	04/18/2012	2012/04/18 STP COL - RE: STP - Criticality Questions on Wednesday
32-4	ML121250362	04/20/2012	05/02/2012 - Forthcoming 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.
32-5	ML121250373	04/20/2012	2012/04/20 STP COL - NINA/STP OI Telecom agenda for April 25, 2012
32-6	ML12121A383	04/23/2012	South Texas Project, Units 3 and 4, Distribution List Changes Update Request.
32-7	ML12121A397	04/23/2012	South Texas Project, Units 3 and 4, Response to Request for Additional Information.
32-8	ML12122A036	04/23/2012	South Texas Project, Units 3 and 4, Supplement to Response to Request for Additional Information Related to General and Financial Information.
32-9	ML121250374	04/24/2012	2012/04/24 STP COL - FW: Section 3.7 & 3.8 Actions - Updated April 24, 2012
32-10	ML121250375	04/24/2012	2012/04/24 STP COL - Section 3.7 & 3.8 Actions - Updated April 24, 2012
32-11	ML121030260	04/24/2012	3/28/2012 - List of Participants; Open Item Conference Call.
32-12	ML121030473	04/24/2012	3/28/2012 - OI List of NINA/STP COLA Item Status Counts.
32-13	ML121030255	04/24/2012	3/28/2012 - 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.
32-14	ML121250376	04/25/2012	2012/04/25 STP COL - (NINA RESPONSE TO RWB AUDIT): Transmittal of Letter U7-C-NINA-NRC-120035
32-15	ML121100463	04/25/2012	3-29-2012 - Summary Of the Closed Meeting With Nuclear Innovation North America, LLC On The Status Of Chapters 3.9.1 And 3.9.2 Held In Rockville, Maryland.
32-16	ML121150553	04/25/2012	Notice Of Forthcoming 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.

	Accession Number	Document Date	Title/Description
32-17	ML121080046	04/25/2012	Request For Additional Information Concerning Implementation of Fukushima Near-Term Task Force Recommendations.
32-18	ML12121A378	04/25/2012	South Texas Project, Units 3 and 4 - Response to NRC Staff Audit Report.
32-19	ML12121A385	04/25/2012	South Texas Project, Units 3 and 4 - Supplemental Response to Request for Additional Information (RAI) letter number 380 related to SRP Section 3.9.4.
32-20	ML12121A402	04/25/2012	South Texas Project, Units 3 and 4, Response to Request for Additional Information (RAI) Letter Number 416 Related to Combined License Application (COLA) Part 2, Tier 2, Section 3.9.2.
32-21	ML121150175	04/25/2012	Summary Of March 27, 2012 Fukushima Lessons Learned Public Meeting With Nuclear Innovation North America, LLC For South Texas Project Units 3 And 4.
32-22	ML121250377	04/27/2012	2012/04/27 STP COL - FW: STP Meeting Summary for March 29 - prop review PUBLIC
32-23	ML121250378	04/30/2012	2012/04/30 STP COL - FW: Section 3.7 & 3.8 Actions - Updated April 26, 2012 - PUBLIC
32-24	ML121250379	04/30/2012	2012/04/30 STP COL - STP - Comment on RAI 03.09.02-51 Response
32-25	ML121250366	05/01/2012	12/07/2011 - 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.
32-26	ML121250367	05/01/2012	12/14/2011 - Summary of Weekly Conference Call Meeting to Discuss Open Items and Outstanding Requests For Additional Information Responses Relating To Nuclear Innovation North American's South Texas Project Units 3 And 4 Combined License Application.
32-27	ML121250368	05/01/2012	12/21/2011 - 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.
32-28	ML121250369	05/01/2012	12/28/2011 - 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.
32-29	ML121250380	05/01/2012	2012/05/01 STP COL - FW: Transmittal of Letter U7-C-NINA-NRC-120036 - PUBLIC
32-30	ML12138A473	05/01/2012	2012/05/01 STP COL - NINA/STP OI Telecom agenda for May 2, 2012
32-31	ML121220061	05/01/2012	5-16-2012-Notice of Forthcoming 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.

	Accession Number	Document Date	Title/Description
32-32	ML12111A213	05/01/2012	Request For Withholding Information From Public Disclosure For South Texas Projects Units 3 and 4.
32-33	ML121230021	05/02/2012	Request For Additional Information Letter No. 417 Related To SRP Section 01.05 For The Nuclear Innovation North America, LLC Combined License Application.
32-34	ML12138A465	05/04/2012	2012/05/04 STP COL - FW: Draft Appendix 1E
32-35	ML121250365	05/07/2012	05/23/2012-Notice of Forthcoming Meeting to Discuss Open Items and Outstanding Requests for Additional Information Responses Relating to Nuclear Innovation North America � South Texas Project Units 3 and 4 Combined License Application.
32-36	ML121250271	05/07/2012	5/30/2012 - Notice of Forthcoming 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.
32-37	ML12124A128	05/07/2012	Request For Withholding Information From Public Disclosure For South Texas Projects, Units 3 and 4.
32-38	ML12124A126	05/07/2012	Request For Withholding Information From Public Disclosure For South Texas Units 3 and 4.
32-39	ML121250364	05/08/2012	05/22/2012 CANCELED - Notice Of Forthcoming Meeting To Discuss Outstanding Audit Report Issues And Request For Additional Information Relating To Nuclear Regulatory Commission Staff's Radioactive Waste Building Calculated Dose Rates...
32-40	ML12138A463	05/08/2012	2012/05/08 STP COL - FW: Section 3.7 & 3.8 Actions - Updated May 3, 2012
32-41	ML12138A464	05/08/2012	2012/05/08 STP COL - NINA/STP OI Telecom agenda for May 9, 2012
32-42	ML12138A462	05/08/2012	2012/05/08 STP COL - Section 3.7 & 3.8 Actions - Updated May 3, 2012
32-43	ML12138A460	05/08/2012	2012/05/08 STP COL - Section 3.7 & 3.8 Actions - Updated May 8, 2012
32-44	ML121280090	05/08/2012	Notice Of Forthcoming Meeting To Discuss Outstanding Audit Report Issues And Rais Relating To Nuclear Regulatory Commission Staff's Radioactive Waste Building Calculated Dose Rates Audit With Nuclear Innovation North America's South Texas Project...
32-45	ML12124A242	05/08/2012	Request For Withholding Information From Public Disclosure For South Texas Project (February 28, 2011).
32-46	ML12124A236	05/08/2012	Request For Withholding Information From Public Disclosure For South Texas Project (February 28, 2011).
32-47	ML12124A123	05/08/2012	Request For Withholding Information From Public Disclosure For South Texas Projects Units 3 and 4.

	Accession Number	Document Date	Title/Description
32-48	ML121250361	05/09/2012	04/25/2012 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.
32-49	ML12138A461	05/09/2012	2012/05/09 STP COL - FW: Section 3.7 & 3.8 Actions - Updated May 8, 2012 - PUBLIC
32-50	ML121160150	05/09/2012	4/18/2012 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.
32-51	ML12129A228	05/09/2012	Request For Withholding Information From Public Disclosure For South Texas Projects, Units 3 and 4 (April 11, 2012).
32-52	ML12124A222	05/09/2012	Request For Withholding Information From Public Disclosure For South Texas Projects, Units 3 and 4.
32-53	ML12138A458	05/10/2012	2012/05/10 STP COL - Construction Sequence in DC
32-54	ML12128A445	05/10/2012	Request For Withholding Information From Public Disclosure (April 25, 2011).
32-55	ML12130A281	05/10/2012	Request For Withholding Information From Public Disclosure (April 25, 2012).
32-56	ML12130A282	05/10/2012	Request For Withholding Information From Public Disclosure (March 20, 2012).
32-57	ML12128A259	05/10/2012	Request For Withholding Information From Public Disclosure For South Texas Projects (April 25, 2012).
32-58	ML12129A230	05/10/2012	Request For Withholding Information From Public Disclosure For South Texas Projects, Units 3 and 4 (June 30, 2011).
32-59	ML12128A321	05/10/2012	Request For Withholding Information From Public Disclosure For South Texas Projects, Units 3 and 4 (March 12, 2012).
32-60	ML12128A442	05/10/2012	Request For Withholding Information From Public Disclosure For South Texas Projects, Units 3 and 4 (March 15, 2012).
32-61	ML12130A280	05/10/2012	Request For Withholding Information From Public Disclosure For South Texas Projects, Units 3 and 4 (March 28, 2012).
32-62	ML12138A119	05/10/2012	South Texas Project Units 3 & 4 - Supplement to Response to Request for Additional Information.
32-63	ML121300187	05/11/2012	5/02/2012 - 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.
32-64	ML121300363	05/11/2012	Enclosure 1 - NINA Open Items Telephone Communication Attendees List for May 2, 2012.

	Accession Number	Document Date	Title/Description
32-65	ML12138A456	05/14/2012	2012/05/14 STP COL - FW: Section 3.7 & 3.8 Actions - Updated May 14, 2012
32-66	ML12138A455	05/14/2012	2012/05/14 STP COL - RE: NINA/STP OI Telecom agenda for May 16, 2012
32-67	ML121250363	05/15/2012	05/09/2012 - 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.
32-68	ML121320406	05/15/2012	Enclosure 1 - NINA Open Items Telephone Communication Attendees List for May 9, 2012.
32-69	ML12138A452	05/17/2012	2012/05/17 STP COL - FW: STP Meeting Summary for March 29 - prop review PUBLIC
32-70	ML12138A453	05/17/2012	2012/05/17 STP COL - FW: STP Meeting Summary for March 29 - prop review PUBLIC
32-71	ML12125A381	05/17/2012	Audit Plan For NINA, LLC COL Application, Regulatory Audit of General Financial's.

Attachment 2 South Texas Project COL Hearing File and Mandatory Disclosures
List of Documents Withheld – Proprietary Information, Security-Related Information, and Safeguards Information
Update 32 – June 1, 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.

	Accession Number	Author Name/ Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Pages
32-1	ML12138A433	NRC/NRO	2012/04/25 STP COL - STP - FW: Transmittal of Letter U7-C-NINA-NRC-120031	04/25/2012	E-Mail	NRC/NRO	Proprietary Information	27
32-2	ML12121A403	Nuclear Innovation North America, LLC	South Texas Project, Units 3 and 4, Attachment 2, RAI 03.09.02-51, Regarding Uncertainty in the Single Pump Test Results.	04/25/2012	Report, Technical	NRC/NRO	Proprietary Information	8
32-3	ML12121A398	Nuclear Innovation North America, LLC	South Texas Project, Units 3 and 4, Attachment 2, Response to April 11, 2012 RAIs.	04/23/2012	Report, Technical	NRC/NRO	Proprietary Information	53

	Accession Number	Author Name/ Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Pages
32-4	ML12138A120	Nuclear Innovation North America, LLC	Supplement to Response to April 11, 2012 RAIs.	05/10/2012	Report, Technical	NRC/NRO	Proprietary Information	411

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 DAVID MISENHIMER, P.E., CONCERNING
MANDATORY DISCLOSURE REQUIREMENTS

I, David Misenhimer, P.E., 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 May 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)

David Misenhimer, P.E.
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Executed in Rockville, MD
this 31st day of May, 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 June 1, 2012, providing notice of the availability of the thirty-second update to the hearing file and mandatory disclosures made pursuant to 10 C.F.R. § 2.336, with attachments, together with the affidavit of David Misenhimer, have been served upon the following persons by Electronic Information Exchange this 1st day of June 2012:

Administrative Judge
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