

March 1, 2013

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 Revised Scheduling Order of October 3, 2012, the NRC staff herein provides to the licensing board and the parties an index containing information required to be disclosed by the NRC 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 search function. Additionally, the NRC 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 Revised 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/**

L. Sheldon Clark  
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U.S. Nuclear Regulatory Commission  
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Enclosures: Attachment 1: Hearing File and Mandatory Disclosures Index  
Attachment 2: List of Documents Withheld  
Attachment 3: Affidavit of Michael Eudy

**Attachment 1**

**South Texas Project COL Hearing File and Mandatory Disclosures Index  
Update 41 – March 1, 2013**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
41-1	ML12355A220	12/20/2012	01/09/2013 - Notice Of Forthcoming Meeting To Discuss Open Items And Outstanding RAI Responses Relating To Nuclear Innovation North America's South Texas Project Units 3 And 4 Combined License Application.
41-2	ML13003A205	01/03/2013	01/16/2013 Meeting Notice to Discuss Open Items and Outstanding RAI Responses Relating to Nuclear Innovation North America's South Texas Project Units 3 and 4 Combined License Application.
41-3	ML13023A061	01/23/2013	02/06/2013 Meeting Notice with NRC To Discuss Open Items and Outstanding RAI Responses Relating To NINA's South Texas Project, Units 3 and 4 COL Application.
41-4	ML12347A112	12/19/2012	12/05/2012 Summary of 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.
41-5	ML12354A570	12/20/2012	1/2/2013 Notice Of Forthcoming Meeting To Discuss Open Items And Outstanding RAI Responses Relating To Nuclear Innovation North America's South Texas Project Units 3 And 4 Combined License Application.
41-6	ML13023A452	12/21/2012	2012/12/21 STP COL - FW: Response Requested: STP Chapter 2 ACRS Briefing 1/16/13-Draft Agenda
41-7	ML13023A451	12/21/2012	2012/12/21 STP COL - FW: South Texas Units 3 & 4 - Chater 2 Draft SER Sections 2.0 through 2.4
41-8	ML13023A450	12/28/2012	2012/12/28 STP COL - STP - January 2, 2013 OI Call Agenda
41-9	ML13023A449	01/03/2013	2013/01/03 STP COL - STP - Draft RAI 6644 (FIV)
41-10	ML13023A448	01/04/2013	2013/01/04 STP COL - STP - 3H.11.1 Typo?
41-11	ML13023A447	01/04/2013	2013/01/04 STP COL - STP - January 9, 2013 OI Call Agenda
41-12	ML13023A446	01/07/2013	2013/01/07 STP COL - FW: Transmittal of Letter U7-C-NINA-NRC-120034 - Jan 9, 2013 OI call
41-13	ML13023A445	01/07/2013	2013/01/07 STP COL - STP - Table 3.2-1 Excerpts
41-14	ML13023A443	01/10/2013	2013/01/10 STP COL - RE: STP - Attendees for Jan 9 OI Call
41-15	ML13023A444	01/10/2013	2013/01/10 STP COL - STP - Attendees for Jan 9 OI Call
41-16	ML13023A441	01/14/2013	2013/01/14 STP COL - Draft RAIs 6987

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
41-17	ML13023A442	01/14/2013	2013/01/14 STP COL - STP - January 16, 2013 OI Call Agenda
41-18	ML13023A440	01/15/2013	2013/01/15 STP COL - RE: STP - January 16, 2013 OI Call Agenda
41-19	ML12352A207	12/20/2012	2/2/2011 - Summary of a Closed Meeting With Nuclear Innovation North America, LLC on Chapters 3.7 And 3.8 Held In Rockville.
41-20	ML12334A187	11/13/2012	LTR-12-0675 Letter from Ellen Ginsberg to Chairman Macfarlane re Request for Commission Guidance to Clarify Application of Financial Qualifications Requirements in the Context of New Nuclear Plant Developed by Merchant Generators re South Texas COL
41-21	ML12366A019	01/10/2013	Regulatory Audit Summary Of South Texas Project, Units 3 And 4 Combined License Application - December 10 - 12, 2012 Hurricane Wind Analyses.
41-22	ML12346A389	01/02/2013	Regulatory Audit Summary Of South Texas Project, Units 3 And 4 Combined License Application - May 23 through May 27, 2011 Structural Analyses.
41-23	ML13016A074	01/17/2013	Request For Additional Information Letter No. 420 Related To SRP Section 3.9.2 For Nuclear Innovation North America, LLC (NINA) Combined License Application.
41-24	ML13016A363	01/16/2013	Request For Additional Information Letter No. 421 Related To SRP Section 13.03 For The Nuclear Innovation North America, LLC, Combined License Application.
41-25	ML12341A401	12/19/2012	Request For Withholding Information From Public Disclosure For STP "Questions From The October 2, 2012, Meeting With ACRS."
41-26	ML13009A022	01/08/2013	"South Texas Project Units 3 & 4 Combined License Application - Financial Qualification Issues," A Presentation By Mr. John Matthews Of Morgan Lewis.
41-27	ML13008A237	01/03/2013	South Texas Project, Units 3 and 4 - Response to Request for Additional Information.
41-28	ML13017A123	01/23/2013	Summary Of Weekly Conference Call Meeting To Discuss Open Items And Outstanding RAI Responses Relating To Nuclear Innovation North America's South Texas Project Units 3 And 4 Combined License Application On Jan. 9, 2013.
41-29	ML13007A209	01/07/2013	Summary Of Weekly Conference Call Meeting To Discuss Open Items And Outstanding RAI Responses Relating To Nuclear Innovation North America's STP Units 3 And 4 Combined License Application On January 2, 2013.

**Attachment 2 South Texas Project COL Hearing File and Mandatory Disclosures  
List of Documents Withheld – Proprietary Information, Security-Related Information, and Safeguards Information  
Update 41 – March 1, 2013**

Pursuant to the Revised Scheduling Order issued by the Licensing Board on October 3, 2012, 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>
41-1	ML13051A654	Nuclear Innovation North America, LLC	South Texas Project Units 3 and 4, Attachment 6 to U7-C-NINA-NRC-130015, Response to Request for Additional Information for RAI 03.09.02-55.	02/13/2013	- No Document Type Applies	NRC/NRO	Proprietary Information	2
41-2	ML13037A421	Nuclear Innovation North America, LLC	South Texas Project, Units 3 and 4, Attachment 2, Proposed Update to COLA Part 1 Information - Proprietary Version.	01/31/2013	Report, Miscellaneous	NRC/NRO	Proprietary Information	34
41-3	ML13056A032	Quinn R D, Westinghouse Electric Co, LLC	WCAP-17256-P, Revision 4, "STP Unit 3 ABWR Prototype Reactor Internals Flow-Induced Vibration Assessment Program."	02/28/2013	Topical Report	NRC/NRO	Proprietary Information	116

	<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>
41-4	ML13053A272	Fujikawa K K  Quinn R D,Nuclear Innovation North America, LLC	WCAP-17257-P, Rev 2, "STP Unit 4 Reactor Internals Flow-Induced Vibration Assessment Program."	02/28/2013	Report, Technical	NRC/NRO	Proprietary Information	16
41-5	ML13056A035	Quinn R D,Westinghouse Electric Co, LLC	WCAP-17370-P, Rev. 4, "South Texas Project, Unit 3 Comprehensive Vibration Assessment Program Measurement, Test, and Inspection Plan."	02/28/2013	Report, Technical  Test/Inspection/Operating Procedure	NRC/NRO	Proprietary Information	47
41-6	ML13056A153	Quinn R D,Westinghouse Electric Co, LLC	WCAP-17371-P, Revision 4, "South Texas Project Units 3 and 4 Reactor Internals Non-Dryer Component Flow-Induced Vibration Assessment," Chapter 6.	02/28/2013	Report, Technical	NRC/NRO	Proprietary Information	118

	<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>
41-7	ML13056A154	Quinn R D,Westinghous e Electric Co, LLC	WCAP-17371-P, Revision 4, "South Texas Project Units 3 and 4 Reactor Internals Non-Dryer Component Flow- Induced Vibration Assessment," Chapter 7 through End.	02/28/2013	Report, Technical	NRC/NRO	Proprietary Information	116
41-8	ML13056A152	Quinn R D,Westinghous e Electric Co, LLC	WCAP-17371-P, Revision 4, "South Texas Project Units 3 and 4 Reactor Internals Non-Dryer Component Flow- Induced Vibration Assessment," Cover through Chapter 5.	02/28/2013	Report, Technical	NRC/NRO	Proprietary Information	98
41-9	ML13056A039	Quinn R D,Westinghous e Electric Co, LLC	WCAP-17385-P, Rev. 4, "STP Unit 3 Steam Dryer Flow-Induced Vibration Assessment," Cover through Page 5-34.	02/28/2013	Report, Technical	NRC/NRO	Proprietary Information	74

	Accession Number	Author Name/ Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Pages
41-10	ML13056A029	Quinn R D, Westinghouse Electric Co, LLC	WCAP-17385-P, Rev. 4, "STP Unit 3 Steam Dryer Flow-Induced Vibration Assessment," Page 5- 35 through End.	02/28/2013	Report, Technical	NRC/NRO	Proprietary Information	114

**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 NRC's 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 February 15, 2013.

3. In accordance with the licensing board's Revised Scheduling Order of October 3, 2012, 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 correct 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-D38  
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(301) 415-3104  
Michael.Eudy@nrc.gov

Executed in Rockville, MD,  
this 28th day of February 2013

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 the NRC staff letter dated March 1, 2013, providing notice of the availability of the forty-first update to the hearing file and mandatory disclosures made pursuant to 10 C.F.R. §§ 2.336 and 2.1203, with attachments, has been filed through the E-Filing system this 1st day of March 2013.

**/signed (electronically) by/**

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