



Nuclear Innovation
North America LLC
122 West Way, Suite 405
Lake Jackson, Texas 77566
979-316-3000

November 19, 2013
U7-C-NINA-NRC-130060

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

South Texas Project
Units 3 and 4
Docket Nos. 52-012 and 52-013
Response to Request for Additional Information

Attached is the Nuclear Innovation North America, LLC (NINA) response to the NRC staff question in Request for Additional Information (RAI) letter number 437 related to SRP Section 1.05. The attachment to this letter contains the response to the following RAI question:

01.05-23

The COLA change documented in this submittal will be implemented in the next routine revision to the COLA.

There are no commitments in this submittal.

If you have any questions, please contact me at (979) 316-3011 or Bill Mookhoek at (979) 316-3014.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 11/19/13

Scott Head
Manager, Regulatory Affairs
NINA STP Units 3&4

Attachment:

RAI 01.05-23

DO91
NRC

(paper copy)

Director, Office of New Reactors
U. S. Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

Regional Administrator, Region IV
U. S. Nuclear Regulatory Commission
1600 E. Lamar Blvd.
Arlington, Texas 76011-4511

Kathy C. Perkins, RN, MBA
Assistant Commissioner
Division for Regulatory Services
Texas Department of State Health Services
P. O. Box 149347
Austin, Texas 78714-9347

Robert Free
Radiation Inspections Branch Manager
Texas Department of State Health Services
P. O. Box 149347
Austin, Texas 78714-9347

*Steven P. Frantz, Esquire
A. H. Gutterman, Esquire
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Ave. NW
Washington D.C. 20004

*Tom Tai
Two White Flint North
11545 Rockville Pike
Rockville, MD 20852

(electronic copy)

*Tom Tai
Fred Brown
U. S. Nuclear Regulatory Commission

Jamey Seeley
Nuclear Innovation North America

Peter G. Nemeth
Crain, Caton and James, P.C.

Richard Peña
Kevin Pollo
L. D. Blaylock
CPS Energy

RAI 01.05-23

Question**01.05-23**

In regards to the response to RAI 01.05-5, the staff reviewed the applicant's response and determined that the response is insufficient to completely address the staff's concerns. The NRC staff needs sufficient information in order to reach a safety conclusion within the COLA review. The applicant should address the specific provisions in Interim Staff Guidance (ISG) JLD-ISG-2012-01, "Compliance with Order EA-12-049, Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events," (ML12229A174) dated August 29, 2012 that endorses the Nuclear Energy Institute (NEI) 12-06, "Diverse and Flexible Coping Strategies (FLEX) Implementation Guide". The ISG provides an acceptable method for satisfying Order EA-12-049. As stated in the ISG, other methods may be used to satisfy Order EA-12-049, but these methods will be reviewed by the NRC staff on a case-by-case basis to determine their acceptability. If the applicant proposes to use methods that differ from those in the ISG and endorsed guidance, the applicant should explain why these alternative methods are acceptable.

NEI 12-06 Chapter 11, "Programmatic Controls," summarizes the programmatic controls to be considered in the implementation of the plant-specific FLEX strategies. It contains discussions of quality attributes, equipment design, equipment storage, procedure guidance, maintenance and testing, training, staffing, and configuration control. The staff has reviewed the report of STP 3 & 4 ABWR FLEX Integrated Plan submitted in a letter, U7-C-NINA-NRC-130031, dated May 2, 2013, as described in page 19 of 60, which stated a program for STP 3 & 4 to be in place 180 days prior to fuel load. The staff found the description of the program lacking in specificity and therefore concludes that it is not adequate for the licensing purpose. Further, in advance of potential rulemaking for mitigation strategies, the staff seeks a binding requirement. Other COL applicants have used a "license condition" with reference to the ISG or other documents to satisfy similar NRC licensing requirements. The staff requests that you propose a license condition or provide justification why it is not necessary.

Response

A proposed license condition is provided below. Because the proposed license condition includes the requirement to install the equipment required to implement the required mitigation strategies, COLA Part 9 Table 3.0-30 "Mitigating Strategies for Beyond Design Basis External Events" will no longer be necessary, and will be deleted in the next revision of the COLA.

PROPOSED LICENSE CONDITION:

Prior to initial fuel load, the following requirements will be addressed using the guidance contained in JLD-ISG-2012-01, Compliance with Order EA-12-049, Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events, Revision 0 (August 29, 2012):

RAI 01.05-23

- a. An administrative program will be developed for configuration control, maintenance and testing of the equipment used in the strategies to mitigate beyond-design-basis external events, as described in Final Safety Analysis Report (FSAR) Appendix 1E.2.4. This program will establish requirements for Preventative Maintenance (PM) activities and inventories and will include testing procedures and frequencies.
- b. Guidance and strategies to maintain or restore core cooling, containment and spent fuel pool cooling capabilities following a beyond-design-basis external event will be developed, implemented, and maintained. The guidance will include appropriate interfaces between the various accident mitigation procedures and guidelines so that the overall strategies are coherent and comprehensive.
- c. A Training Program will be developed using the Systematic Approach to Training (SAT) to evaluate required training for station personnel based upon plant equipment and procedures that result from implementation of the strategies.
- d. The basic configuration of the system design requirements to support FLEX implementation as stated in FSAR, Appendix 1E.2.4 are installed, and the documented results of inspections confirm that the system design requirements have been implemented as discussed in FSAR, Appendix 1E.2.4.

An overall integrated plan will be developed 180 days prior to initial fuel load, including a description of how compliance with the requirements described in this license condition will be achieved.