

PROPRIETARY



Nuclear Innovation  
North America LLC  
122 West Way, Suite 405  
Lake Jackson, Texas 77566

October 21, 2014  
U7-C-NINA-NRC-140035  
10 CFR 2.390  
10 CFR 52

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  
Submittal of Combined License Application Revision 11

Reference:

1. Letter, M. A. McBurnett to Document Control Desk, "Combined License Application," dated September 20, 2007, ABR-AE-07000004 (ML072830407)
2. Letter, M. A. McBurnett to Document Control Desk, "Submittal of Combined License Application Part 10," dated December 11, 2008, U7-C-STP-NRC-080068 (ML083530131)

Nuclear Innovation North America LLC (NINA) submits Revision 11 to the South Texas Project Units 3 & 4 (STP 3 & 4) Combined License Application (COLA) (Reference) as an enclosure to this letter.

Revision 11 to the STP 3 & 4 COLA is intended to incorporate routine updates and all confirmatory items and close all open items in the application, with the exception of open items currently under discussion in COLA Part 1.

This letter contains attachments and enclosures providing the following:

- Attachment 1 – "Affidavit for Withholding Proprietary Information under 10 CFR 2.390," on behalf of Nuclear Innovation North America (NINA)
- Attachment 2 – "Summary of Preflight Evaluations," checks performed on the PDF files for each Part included with this submittal (Enclosures 1 and 2)

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Attachment 3 – “Summary of Commitments,” completed, revised, deleted, or added (new)

Attachment 4 – “Summary of Changes” incorporated into Revision 11 to the COLA

Attachment 5 – “List of RAI Responses with Changes to the COLA,” NRC staff Requests for Additional Information (RAI) which required changes to the COLA in the responses, incorporated as of Revision 11

Enclosures (2) – Two DVDs containing Revision 11 to the COLA in PDF format, prepared in compliance with “Guidance for Electronic Submissions to the NRC.” Each DVD contains a packing slip that explains the contents

- Enclosure 1 (DVD) provides a complete, non-proprietary and non-security-sensitive version of the STP 3 & 4 COLA suitable for public disclosure
- Enclosure 2 (DVD) provides a complete proprietary version of the STP 3 & 4 COLA and includes the proprietary and Security Sensitive information

The affidavit submitted with Reference 2 requesting that proprietary information be withheld from public disclosure in accordance with 10 CFR 2.390 remains applicable to the proprietary information contained in Part 10.

Upon separation from Enclosure 2 (Proprietary Information), this letter is decontrolled.

If there are any questions regarding this submittal, please contact myself 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

10/21/14



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

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Attachments: As stated

Enclosures: 1. DVD, South Texas Project Units 3 & 4 COLA Rev. 11, Non-Proprietary  
2. DVD, South Texas Project Units 3 & 4 COLA Rev. 11, Proprietary

cc: w/o attachments and enclosures except\*  
(paper copy)

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**ATTACHMENT 1**

**AFFIDAVIT FOR WITHHOLDING PROPRIETARY INFORMATION  
UNDER 10 CFR 2.390**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)		
	)		
Nuclear Innovation North America LLC	)	Docket No.	52-012
	)		52-013
South Texas Project	)		
Units 3 and 4	)		

AFFIDAVIT

I, Scott Head, being duly sworn, hereby depose and say that I am the Regulatory Affairs Manager of Nuclear Innovation North America LLC; that I am duly authorized to sign and file with the Nuclear Regulatory Commission (NRC) this affidavit on behalf of Nuclear Innovation North America LLC (NINA); and state:

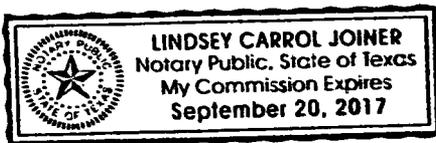
1. I am authorized to execute this affidavit on behalf of NINA, Nuclear Innovation North America Investments Holdings LLC (“NINA Holdings”), Nuclear Innovation North America Investments LLC (“NINA Investments”), NINA Texas 3 LLC (“NINA 3”) and NINA Texas 4 LLC (“NINA 4”).
2. NINA 3 and NINA 4 are providing information to support the application for a Combined License for STP Units 3 & 4. The information being provided is located in Part 1 of the application and contains legal and financial information related to the ownership of STP Units 3 & 4. The application also contains proprietary commercial and financial information that should be held in confidence by the NRC pursuant to the policy reflected in 10 CFR2.390(a)(4), because:
  - i. This information is and has been withheld in confidence by NINA 3, NINA 4 and their affiliates.
  - ii. This information is of a type that is customarily held in confidence by NINA 3, NINA 4 and their affiliates, and there is a rational basis for doing so because the information contains sensitive legal and financial information concerning financing arrangements, project cost, and operating expenses of NINA 3 and NINA 4.
  - iii. This information is being transmitted to the NRC voluntarily, in confidence and under the provisions of 10 CFR2.390(a)(4) and it is to be received in confidence by the NRC.
  - iv. This information is not available in public sources and could not be gathered readily from other publicly available information.

- v. Public disclosure of this information would create substantial harm to the competitive position of NINA 3, NINA 4, and their affiliates by disclosing internal financial information.
- 3. The proprietary information related to the application is shown in Part 1 Tables 1.3-1, 1.3-2, 1.3-3, and 1.3-4 as provided in the attachment to this Affidavit and has been appropriately marked as proprietary.
- 4. The information has substantial commercial value. The information requested to be withheld reveals commercially valuable and sensitive information and information about financing arrangements. Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of NINA 3 and NINA 4, NINA Investments, NINA Holdings and NINA itself because it would enhance the ability of competitors to gain knowledge of our costs and our commercial strategies.
- 5. Accordingly, NINA 3 and NINA 4 request that the designated portion of the COLA be withheld from public disclosure pursuant to 10 CFR 2.390(a)(4).

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

STATEOFTEXAS            )  
  )  
COUNTY OF Brazoria    )

Subscribed and sworn to before me, a Notary Public in and for the State of Texas,  
this 21 day of October, 2014.



Notary Public in and for the  
State of Texas

## **ATTACHMENT 2**

### **SUMMARY OF PREFLIGHT EVALUATIONS**

All submittal PDF files were prepared with Adobe Acrobat Version 8 using the current Job Options file provided by the NRC on its web site. All files passed the preflight check (using the latest NRC preflight profile provided on its web site) except a few files that contained scanned pages that were processed by the Acrobat Optical Character Recognition (OCR) process. In these cases, an error is generated for lack of embedded fonts in the files. This is due to the known and documented inability of Acrobat to embed the fonts in a scanned and OCR processed file.

## **SUMMARY OF COMMITMENTS**

There are no completed, revised, added or deleted commitments in Revision 11 to the COLA.

## SUMMARY OF CHANGES

The following table is a summary of changes incorporated into Revision 11 to the COLA.

<b>Description of Change</b>	<b>Reason for Change</b>
Responses to NRC staff Requests for Additional Information (RAIs) which require a change to the COLA are incorporated, as listed.	See Attachment 5
Update to Spent Fuel Pool Level Instrumentation ITAAC Acceptance Criteria in Part 9, Section 3.0, Table 3.0-28 to be consistent with the Staff SER.	Consistency with SER
Update to Part 2, Tier 2, Section 1E.2.4 to require the 250v non-Class 1E battery to be robust in accordance with NEI 12-06	Additional Requirement
Added a site specific ITAAC to Part 9, section 3.0, Table 3-30 to consider the effect of suppression pool water level on Containment Hydrodynamic Loads	Additional Requirement
Update to Part 1 listings of Officers and Directors	Routine update

## LIST OF RAI RESPONSES WITH CHANGES TO THE COLA

The tables below provide NRC staff Requests for Additional Information (RAI) which require a change to the COLA in the response and are incorporated in Revision 11\*.

RAI Question #	Part	Section / Appendix
01-26	P1	1.1
	P2, T2	12.02
01.05-3	P2, T2	1E
	P9	3.0
01.05-23	P9	3.0
01.05-24	P2, T2	1E
01.05-32	P2, T2	1E
01.05-33	P2, T2	1E
01.05-36	P2, T2	1E
01.05-37	P2, T2	13.5
08.02-25, 26	P2, T2	8.2
	P2, T2	8.3
	P2, T2	16.03
	P4	3.0
	P9	3.0
	P7	2.2, 2.2.4
09.01.02-39	P2, T2	1.6
	P2, T2	3.1.2
	P2, T2	3.7.5
	P2, T2	9.1
09.01.02-55	P2, T2	3.7.5.2

\* Minor editorial changes identified during review of previous RAI responses are not included in this list but corrections were made in this revision.