

~~PROPRIETARY~~



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

April 21, 2015
U7-C-NINA-NRC-150005
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 12

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 12 to the South Texas Project Units 3 & 4 (STP 3 & 4) Combined License Application (COLA) (Reference) as an enclosure to this letter.

Revision 12 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 12 to the COLA

Enclosures (2) – Two DVDs containing Revision 12 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 4/21/15



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

wem

Attachments: As stated

Enclosures: 1. DVD, South Texas Project Units 3 & 4 COLA Rev. 12, Non-Proprietary
2. DVD, South Texas Project Units 3 & 4 COLA Rev. 12, Proprietary

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

(electronic 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.

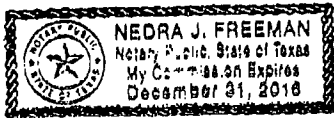
- v. Public disclosure of this information would create substantial harm to the competitive position of NINA 3, NINA 4, and their affiliates by disclosing internal financial information.
- 3. The proprietary information related to the application is shown in Part 1 Tables 1.3-1, 1.3-2, 1.3-3, and 1.3-4 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

STATE OF TEXAS)
)
COUNTY OF Brazoria)

Subscribed and sworn to before me, a Notary Public in and for the State of Texas,
this 21ST day of APRIL, 2015.

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

The following commitment was changed in Revision 12 to the COLA.

| Commitment | OLD | NEW |
|------------|---|---|
| COM 3.5-1 | A turbine system maintenance program will be submitted within three years following receipt of a COL that includes a probability calculation of turbine missile generation and shows that the turbine meets the minimum requirements as given in Table 3.5-1. (COM 3.5-1) | A turbine system maintenance program will be submitted within three years following receipt of a COL that includes a probability calculation of turbine missile generation and shows that the turbine meets the minimum requirements as given in Table 3.5-1. This probability calculation shall evaluate each turbine control and protection system (for example, the condition that the primary overspeed trip system may be out of service during turbine operation) and all component failure modes to calculate the probability of turbine missile generation in order to determine the appropriate required licensee action in Table 3.5-1 under those circumstances. (COM 3.5-1) |

SUMMARY OF CHANGES

The following table is a summary of changes incorporated into Revision 12 to the COLA.

| Description of Change | Reason for Change |
|---|-------------------|
| Added a statement to FSAR section 1E.2.1.1 that was omitted in Revision 11 | Correct omission |
| Changed the ITAAC table listing in Part 9 to be consistent with the ITAAC Title | Consistency |
| Added the revision number to Holtec Report HI-213562 in FSAR Table 1.6-2 | NRC request |
| Corrected the note to FSAR Table 6.2-7 to completely strike through the entry | Correct Error |
| Added Reg Guide 1.189 revisions 1 and 2 to FSAR Table 1.8-20 | NRC Request |
| Modified the source term description for the spent fuel pool in FSAR Table 12.2-5a and 12.2-5b. | Consistency |
| Modified the source term calculation description for the spent fuel pool in FSAR section 12B | Consistency |
| Deleted the commercial operation date in FSAR section 1.1.5 | Not Needed |
| Modified the Turbine Maintenance Program commitment in FSAR section 3.5.4.5 | Clarification |
| Added additional information to FSAR section 1.4.4.2 on STP Nuclear Operating Company | NRC Request |
| Changed the SRP reference for Cyber Security | Correct Error |
| Updated owner company listing of Officers and Directors in Part 1 | Update |