

PROPRIETARY



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

April 5, 2016
U7-C-NINA-NRC-160001
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 Final Safety Analysis Report Revision 13

Nuclear Innovation North America LLC (NINA) submits the Final Safety Analysis Report (FSAR) Revision 13, which is the first periodic update since issuance of the Combined Licenses (COLs) for South Texas Project Units 3 & 4 (STP 3 & 4). FSAR Revision 13 contains the Plant-Specific Design Control Document Tier 1, Tier 2, and Tier 2* information. Also included with this correspondence is the STP 3 & 4 Departures Report which identifies and evaluates the departures and exemptions from the reference ABWR DCD consistent with 10 CFR 52 Appendix A, Section IV.A.2.b and regulatory requirements and guidance.

This revision of the FSAR closes License condition 2.D(12)(d)2 for both the Unit 3 and Unit 4 COLs. In addition NINA has completed the actions required by License Condition 2.D.(14)(l)1 for both Unit 3 and Unit 4 COLs.

Revision 13 of the FSAR incorporates no new departures or exemptions.

No changes to the Technical Specifications Bases have been made since issuance of the COLs.

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)

D091
NRD

Attachment 2 – “Summary of Preflight Evaluations,” checks performed on the PDF files for each Part included with this submittal (Enclosures 1 and 2)

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

Attachment 4 – “Summary of Changes” incorporated into Revision 13 to the FSAR

Enclosures (2) – Two DVDs containing Revision 13 to the FSAR and the STP 3 & 4 Departures Report 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 FSAR and the STP 3 & 4 Departures Report suitable for public disclosure
- Enclosure 2 (DVD) provides a complete proprietary version of the STP 3 & 4 FSAR and the STP 3 & 4 Departures Report which include the proprietary and security sensitive information. The non-proprietary and non-security-sensitive STP 3 & 4 Departures Report is included on the DVD for completeness.

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 4/5/16



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

wem

Attachments: As stated

Enclosures: 1. DVD, South Texas Project Units 3 & 4 FSAR Rev. 13, Non-Proprietary
2. DVD, South Texas Project Units 3 & 4 FSAR Rev. 13, Proprietary

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

(electronic copy)

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

Tom Tai
Adrian Muniz
U. S. Nuclear Regulatory Commission

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

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

L. D. Blaylock
CPS Energy

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
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Ave. NW
Washington D.C. 20004

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

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 the Final Safety Analysis Report (FSAR) as updated through March 2016 in accordance with 10 CFR § 50.71(e)(3)(iii) and 10 CFR § 52 Appendix A Section X.B.2. The FSAR contains proprietary commercial and financial information as defined in 10 CFR §2.390 (d)(1). that should be held in confidence by the NRC pursuant to the policy reflected in 10 CFR2.390(a)(4), because:
 - i. The report to the NRC contains information or records concerning a licensee's or applicant's physical protection, classified matter protection, or material control and accounting program for special nuclear material not otherwise designated as Safeguards Information or classified as National Security Information or Restricted Data.
 - ii. 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.
 - iii. This information is not available in public sources and could not be gathered readily from other publicly available information.
 - iv. Public disclosure of this information could create substantial harm by revealing Sensitive Unclassified Nuclear Security Information.

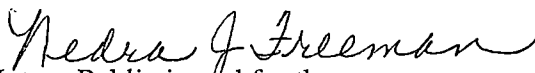
3. The proprietary information is located in various places throughout the FSAR and has been appropriately marked as proprietary.
4. Accordingly, NINA 3 and NINA 4 request that the designated portion of the FSAR be withheld from public disclosure pursuant to 10 CFR 2.390(a)(4).

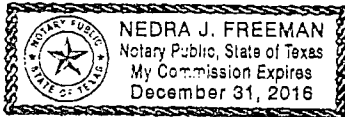


Scott Head
Manager, Regulatory Affairs
NINA STP Units 3&4

STATE OF TEXAS)
)
COUNTY OF Brazoria)

Subscribed and sworn to before me, a Notary Public in and for the State of Texas, this 5th day of April, 2016.


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 or Version 10. All files passed the preflight check (using the 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 completed in Revision 13 to the COLA.

Commitment	OLD	STATUS
2015-72	NINA will revise FSAR Table 13.4S-1, Item 15 to include the Transportation Physical Security Plan in the first FSAR revision following issuance of the COL	COMPLETE

SUMMARY OF CHANGES

The following table is a summary of changes incorporated into Revision 13 to the FSAR.

Description of Change	Reason for Change
Correct reference error in 11.3.11.1	Correct Error
Add line item to Table 13.4S-1 as discussed in U7-C-NINA-NRC-150007	NRC request
Modified Tables 13.4S based on NRC feedback	NRC request
Administrative change to add a line item to Table 13.9-8 that was inadvertently left out of the FSAR change associated with STD-DEP T1 2.14.1 (Hydrogen Recombiner Requirements Elimination)	Correct Error
Administrative change to correct a line item in Table 6.2-7 to be consistent with the DCD.	Correct Error
Administrative change to correct a typographical error regarding an applicable subsection in table 1.9-1.	Correct Error
Editorial changes to remove the reference to the term COLA	Editorial
Editorial change removes the draft Technical Specifications from the FSAR and refers to the Technical Specifications as issued by the NRC with the Combined License.	Update
Correct typo in figure number on figure T1, 2.4.3	Correct Error
Implements the license condition 2.D(12)(d)2 to include inspections of a fuel shipment when it arrives at the site in Section 13.6.4. This change closes license condition 2.D(12)(d)2 for both Unit 3 and Unit 4.	License Condition