

**From:** Dennis Galvin  
**Sent:** Friday, July 7, 2023 6:36 PM  
**To:** Wendy Brost (webrost@stpegs.com)  
**Cc:** Drew Richards (amrichards@stpegs.com); Bo Pham; Jennifer Dixon-Herrity; Scott Wall; Jeff Whited  
**Subject:** South Texas Project - Acceptance of Request for Indirect Transfer of Licenses and Conforming Amendments (L-2023-LLM-0004)

Dear Ms. Brost,

By letter dated June 12, 2023 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML23163A176), the STP Nuclear Operating Company submitted a request for the approval of the indirect transfer of licenses and conforming amendments pursuant to Title 10 of the *Code of Federal Regulations* Sections 50.80, 50.90, and 72.50. The application seeks U.S. Nuclear Regulatory Commission (NRC) approval of the indirect transfer of the Renewed Facility Operating Licenses Nos. NPF-76 and NPF-80 for South Texas Project (STP), Units 1 and 2, respectively, and the general license for the STP independent spent fuel storage installation. The application also seeks the issuance of conforming amendments to the renewed facility operating licenses for administrative purposes to reflect the proposed transfer.

The purpose of this correspondence is to provide the results of the NRC staff's acceptance review of this request for the approval of the indirect transfer of licenses and conforming amendments. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Consistent with 10 CFR 50.80(b)(1)(i), an application for transfer of a license shall include as much of the information described in Sections 50.33 and 50.34 with respect to the identity and technical and financial qualifications of the proposed transferee as would be required by those sections if the application were for an initial license. Consistent with 10 CFR 50.80(b)(2), the application shall include also a statement of the purposes for which the transfer of the license is requested, the nature of the transaction necessitating or making desirable the transfer of the license, and an agreement to limit access to Restricted Data pursuant to Section 50.37.

Consistent with 10 CFR 50.90, an amendment to the license (including the technical specifications) must fully describe the changes requested, and following as far as applicable, the form prescribed for original applications. Section 50.34 of 10 CFR addresses the content of technical information required. This section stipulates that the submittal address the design and operating characteristics, unusual or novel design features, and principal safety considerations.

Consistent with 10 CFR 72.50(b)(1), an application for transfer of a license must include as much of the information described in Sections 72.22 and 72.28 with respect to the identity and the technical and financial qualifications of the proposed transferee as would be required by those sections if the application were for an initial license. The application must also include a statement of the purposes for which the transfer of the license is requested and the nature of the transaction necessitating or making desirable the transfer of the license. Consistent with 10 CFR 72.50(b)(3), the application shall describe the financial assurance that will be provided for the decommissioning of the facility under 10 CFR 72.30.

The NRC staff has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the NRC staff to complete its detailed technical review and make an independent assessment regarding the acceptability of the request for the approval of the indirect transfer of licenses and conforming amendments in terms of regulatory requirements and the protection of public health and safety and the environment. Given the lesser scope and depth of the acceptance review as compared to the detailed technical review, there may be instances in which issues that impact the NRC staff's ability to complete the detailed technical review are identified despite completion of an adequate acceptance review. You will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

Based on the information provided in your submittal, the NRC staff has estimated that this licensing request will take approximately 240 hours to complete. The NRC staff expects to complete this review by November 1, 2023. If there are emergent complexities or challenges in our review that would cause changes to the initial forecasted completion date or significant changes in the forecasted hours, the reasons for the changes, along with the new estimates, will be communicated during the routine interactions with the assigned project manager.

These estimates are based on the NRC staff's initial review of the application, and they could change, due to several factors including requests for additional information, and unanticipated addition of scope to the review. Additional delay may occur if the submittal is provided to the NRC in advance or in parallel with industry program initiatives or pilot applications.

The licensee's application indicated that if the NRC approves the order, then the license transfers may occur at any time within one year after issuance of the order. Because of the uncertainty associated with the license transfer date, the NRC staff may close EPID L-2023-LLM-0004 when it completes its review of the order and draft amendments and, if or when applicable, open a new EPID when the licensee is ready for NRC to issue the conforming amendments.

If you have any questions, please contact me at (301) 415-6256.

Respectfully,

Dennis Galvin, Project Manager  
Plant Licensing Branch 4  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-498, 50-499, 72-1041

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