



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 1, 2023

Mr. G. T. Powell
President and Chief Executive Officer
STP Nuclear Operating Company
P.O. Box 289
Wadsworth, TX 77483

SUBJECT: SOUTH TEXAS PROJECT, UNITS 1 AND 2 AND THE ASSOCIATED
INDEPENDENT SPENT FUEL STORAGE INSTALLATION - ISSUANCE OF
AMENDMENT NOS. 226 AND 211 RELATED TO ORDER APPROVING
INDIRECT TRANSFER OF LICENSES AND CONFORMING LICENSE
AMENDMENTS (EPID L-2023-LLM-0004)

Dear Mr. Powell:

By order dated October 30, 2023 (Agencywide Documents Access and Management System Accession No. ML23279A038), the U.S. Nuclear Regulatory Commission (NRC, the Commission) staff approved the license transfer application dated June 12, 2023 (ML23163A176), as supplemented by letters dated August 31, 2023, and October 5, 2023 (ML23243B056 and ML23279A138, respectively), filed by STP Nuclear Operating Company (STPNOC), acting on behalf of Constellation Energy Generation, LLC (CEG) and NRG South Texas LP (NRG South Texas) and its parent companies. Specifically, the order approved the indirect transfer of the NRG South Texas 44-percent possession-only non-operating interests in Renewed Facility Operating License (RFOL) 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 (collectively, the Facility) from NRG South Texas to CEG and (2) conforming administrative amendments to the RFOLs to reflect the proposed license transfer. A copy of the NRC staff safety evaluation (ML23279A048) related to the license transfer application was provided with the order.

By letter dated October 30, 2023 (ML23303A078), STPNOC informed the NRC that all required regulatory approvals necessary to close the proposed transaction had been received and that the proposed transaction would close on November 1, 2023.

On November 1, 2023, STPNOC informed the NRC that the proposed transaction closed on November 1, 2023. Accordingly, the NRC staff is issuing the enclosed Amendment Nos. 226 and 211 to RFOL Nos. NPF-76 and NPF-80, respectively (enclosures 1 and 2). Notice of issuance of these conforming license amendments will be included in the NRC's monthly *Federal Register* notice.

Enclosure 3 to this letter is a digitally signed copy of Amendment No 9 to Indemnity Agreement No. B-108 for the Facility. The NRC staff requests that the applicable parties sign this amendment and, within 15 days, return one signed copy to the NRC's Document Control Desk

as proof of acceptance. Each party should keep a signed copy of the amendment for their records.

If you have any questions, please contact me at (301) 415-6256 or by email to Dennis.Galvin@nrc.gov.

Sincerely,

/RA/

Dennis J. Galvin, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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

Enclosures:

1. Amendment No. 226 to NPF-76
2. Amendment No. 211 to NPF-80
3. Amendment No. 9 to Indemnity Agreement No. B-108

cc: Listserv



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-498

SOUTH TEXAS PROJECT, UNIT 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 226
Renewed License No. NPF-76

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by STP Nuclear Operating Company (STPNOC)*, acting on behalf of NRG South Texas LP and its parent companies and Constellation Energy Generation, LLC, dated June 12, 2023, as supplemented by letters dated August 31, 2023, and October 5, 2023, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

*STPNOC is authorized to act for NRG South Texas LP, the City Public Service Board of San Antonio, and the City of Austin, Texas, and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

2. Accordingly, Renewed Facility Operating License No. NPF-76 is hereby amended as indicated in the attachment to this license amendment.
3. The license amendment is effective as of its date of issuance and shall be implemented within 30 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Bo M. Pham, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to Renewed Facility
Operating License No. NPF-76

Date of Issuance: November 1, 2023



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-499

SOUTH TEXAS PROJECT, UNIT 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 211
Renewed License No. NPF-80

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by STP Nuclear Operating Company (STPNOC)*, acting on behalf of NRG South Texas LP and its parent companies and Constellation Energy Generation, LLC, dated June 12, 2023, as supplemented by letters dated August 31, 2023, and October 5, 2023, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

*STPNOC is authorized to act for NRG South Texas LP, the City Public Service Board of San Antonio, and the City of Austin, Texas, and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

2. Accordingly, Renewed Facility Operating License No. NPF-80 is hereby amended as indicated in the attachment to this license amendment.
3. The license amendment is effective as of its date of issuance and shall be implemented within 30 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Bo M. Pham, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to Renewed Facility
Operating License No. NPF-80

Date of Issuance: November 1, 2023

ATTACHMENT TO LICENSE AMENDMENT NOS. 226 AND 211 TO
RENEWED FACILITY OPERATING LICENSE NOS. NPF-76 AND NPF-80
SOUTH TEXAS PROJECT, UNITS 1 AND 2
DOCKET NOS. 50-498 AND 50-499

Replace the following pages of Renewed Facility Operating License Nos. NPF-76 and NPF-80 with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Renewed Facility Operating License No. NPF-76

<u>REMOVE</u>	<u>INSERT</u>
- 1 -	- 1 -
- 2 -	- 2 -
- 3 -	- 3 -

Renewed Facility Operating License No. NPF-80

<u>REMOVE</u>	<u>INSERT</u>
- 1 -	- 1 -
- 2 -	- 2 -
- 3 -	- 3 -



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

CONSTELLATION SOUTH TEXAS, LLC

CITY PUBLIC SERVICE BOARD OF SAN ANTONIO

CITY OF AUSTIN, TEXAS

STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-498

SOUTH TEXAS PROJECT, UNIT 1

RENEWED FACILITY OPERATING LICENSE

Renewed License No. NPF-76

1. The Nuclear Regulatory Commission (the Commission or the NRC) has found that:
 - A. The application for a renewed license filed by STP Nuclear Operating Company (STPNOC)*, acting on behalf of itself and for Constellation South Texas, LLC, the City Public Service Board of San Antonio (CPS), and City of Austin, Texas (COA) (the "Owners") complies with the standards and requirements of the Atomic Energy Act of 1954, as of 1954 as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I, and all required notifications to other agencies or bodies have been duly made;
 - B. Construction of the South Texas Project, Unit 1, (the facility) has been substantially completed in conformity with Construction Permit No. CPPR-128 and the application, as amended, the provisions of the Act, and the regulations of the Commission;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the regulations of the Commission (except as exempted from compliance in Section 2.D. below);
 - D. There is reasonable assurance: (i) that the activities authorized by this renewed operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I (except as exempted from compliance in Section 2.D. below);

* STPNOC is authorized to act for Constellation South Texas, LLC, the City Public Service Board of San Antonio, and City of Austin, Texas and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

Renewed License No. NPF-76
Amendment No. 226

- E. STPNOC is technically qualified to engage in the activities authorized by this renewed license in accordance with the Commission's regulations set forth in 10 CFR Chapter I;
 - F. The Owners have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
 - G. The issuance of this renewed license will not be inimical to the common defense and security or to the health and safety of the public;
 - H. After weighing the environmental, economic, technical and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of this Renewed Facility Operating License No. NPF-76, subject to the conditions for protection of the environment set forth in the Environmental Protection Plan attached as Appendix B, is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied; and
 - I. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this renewed license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40 and 70.
 - J. Actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified to require review under 10 CFR 54.21(a)(1), and (2) time-limited aging analyses that have been identified to require review under 10 CFR 54.21(c), such that there is reasonable assurance that the activities authorized by this renewed license will continue to be conducted in accordance with the current licensing basis, as defined in 10 CFR 54.3, for the facility, and that any changes made to the facility's current licensing basis in order to comply with 10 CFR 54.29(a) are in accordance with the Act and the Commission's regulations.
2. Based on the foregoing findings by the Nuclear Regulatory Commission, Facility Operating License No. NPF-76, dated March 22, 1988, and expiring August 20, 2027, as amended, is superseded by Renewed Facility Operating License No. NPF-76 and hereby issued to STPNOC to read as follows:
- A. This renewed license applies to the South Texas Project, Unit 1, a pressurized water reactor, and associated equipment (the facility) owned by Constellation South Texas, LLC, City Public Service Board of San Antonio, and City of Austin, Texas and operated by STPNOC. The facility is located in Matagorda County, Texas, west of the Colorado River, 8 miles north-northwest of the town of Matagorda and about 89 miles southwest of Houston and is described in the licensees' Final Safety Analysis Report, as supplemented and amended, and in the licensees' Environmental Report, as supplemented and amended.
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:

- (1) STPNOC pursuant to Section 103 of the Act and 10 CFR Part 50, to possess, use and operate the facility at the designated location in Matagorda County, Texas, in accordance with the procedures and limitations set forth in this renewed license;
 - (2) Constellation South Texas, LLC, the City Public Service Board of San Antonio (CPS), and the City of Austin, Texas (COA), pursuant to the Act and 10 CFR Part 50, to possess the facility at the designated location in Matagorda County, Texas, in accordance with the procedures and limitations set forth in this renewed license;
 - (3) STPNOC, pursuant to the Act and 10 CFR Part 70, to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;
 - (4) STPNOC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
 - (5) STPNOC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 - (6) STPNOC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility authorized herein.
- C. This renewed license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

STPNOC is authorized to operate the facility at reactor core power levels not in excess of 3,853 megawatts thermal (100% power) in accordance with the conditions specified herein.



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CONSTELLATION SOUTH TEXAS, LLC

CITY PUBLIC SERVICE BOARD OF SAN ANTONIO

CITY OF AUSTIN, TEXAS

STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-499

SOUTH TEXAS PROJECT, UNIT 2

RENEWED FACILITY OPERATING LICENSE

Renewed License No. NPF-80

1. The Nuclear Regulatory Commission (the Commission or the NRC) has found that:
 - A. The application for a renewed license filed by STP Nuclear Operating Company (STPNOC)*, acting on behalf of itself and for Constellation South Texas, LLC, the City Public Service Board of San Antonio (CPS), and City of Austin, Texas (COA) (the "Owners") complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I, and all required notifications to other agencies or bodies have been duly made;
 - B. Construction of the South Texas Project, Unit 2, (the facility) has been substantially completed in conformity with Construction Permit No. CPPR-129 and the application, as amended, the provisions of the Act, and the regulations of the Commission;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the regulations of the Commission (except as exempted from compliance in Section 2.D. below);
 - D. There is reasonable assurance: (i) that the activities authorized by this renewed operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I (except as exempted from compliance in Section 2.D. below);

* STPNOC is authorized to act for Constellation South Texas, LLC, the City Public Service Board of San Antonio, and City of Austin, Texas and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

Renewed License No. NPF-80
Amendment No. 211

- E. STPNOC is technically qualified to engage in the activities authorized by this renewed license in accordance with the Commission's regulations set forth in 10 CFR Chapter I;
 - F. The Owners have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
 - G. The issuance of this renewed license will not be inimical to the common defense and security or to the health and safety of the public;
 - H. After weighing the environmental, economic, technical and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of this Renewed Facility Operating License No. NPF-80, subject to the conditions for protection of the environment set forth in the Environmental Protection Plan attached as Appendix B, is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied; and
 - I. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this renewed license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40 and 70.
 - J. Actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified to require review under 10 CFR 54.21(a)(1), and (2) time-limited aging analyses that have been identified to require review under 10 CFR 54.21(c), such that there is reasonable assurance that the activities authorized by this renewed license will continue to be conducted in accordance with the current licensing basis, as defined in 10 CFR 54.3, for the facility, and that any changes made to the facility's current licensing basis in order to comply with 10 CFR 54.29(a) are in accordance with the Act and the Commission's regulations.
2. Based on the foregoing findings by the Nuclear Regulatory Commission, Facility Operating License No. NPF-80, dated March 28, 1989, and expiring December 15, 2028, as amended, is superseded by Renewed Facility Operating License No. NPF-80 and hereby issued to STPNOC to read as follows:
- A. This renewed license applies to the South Texas Project, Unit 2, a pressurized water reactor, and associated equipment (the facility) owned by Constellation South Texas, LLC, City Public Service Board of San Antonio, and City of Austin, Texas and operated by STPNOC. The facility is located in Matagorda County, Texas, west of the Colorado River, 8 miles north-northwest of the town of Matagorda and about 89 miles southwest of Houston and is described in the licensees' Final Safety Analysis Report, as supplemented and amended, and in the licensees' Environmental Report, as supplemented and amended.
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:

- (1) STPNOC pursuant to Section 103 of the Act and 10 CFR Part 50, to possess, use and operate the facility at the designated location in Matagorda County, Texas, in accordance with the procedures and limitations set forth in this renewed license;
 - (2) Constellation South Texas, LLC, the City Public Service Board of San Antonio (CPS), and the City of Austin, Texas (COA), pursuant to the Act and 10 CFR Part 50, to possess the facility at the designated location in Matagorda County, Texas, in accordance with the procedures and limitations set forth in this renewed license;
 - (3) STPNOC, pursuant to the Act and 10 CFR Part 70, to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;
 - (4) STPNOC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
 - (5) STPNOC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 - (6) STPNOC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility authorized herein.
- C. This renewed license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- (1) Maximum Power Level

STPNOC is authorized to operate the facility at reactor core power levels not in excess of 3,853 megawatts thermal (100% power) in accordance with the conditions specified herein.

ENCLOSURE 3

AMENDMENT NO. 9 TO INDEMNITY AGREEMENT NO. B-108

SUBJECT: SOUTH TEXAS PROJECT, UNITS 1 AND 2 AND THE ASSOCIATED INDEPENDENT SPENT FUEL STORAGE INSTALLATION - ISSUANCE OF AMENDMENT NOS. 226 AND 211 RELATED TO ORDER APPROVING INDIRECT TRANSFER OF LICENSES AND CONFORMING LICENSE AMENDMENTS (EPID L-2023-LLM-0004) DATED NOVEMBER 1, 2023

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