

January 3, 2012

Michael M. Gibson, Chair  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Gary S. Arnold  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Randall J. Charbeneau  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

In the Matter of  
Nuclear Innovation North America LLC  
(South Texas Project, Units 3 & 4)  
Docket Nos. 52-012 and 52-013

Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.336(b) and (c), 10 C.F.R. § 2.1203, and the Licensing Board's Initial Scheduling Order of October 20, 2009, the Staff herein provides to the Licensing Board and the Parties an index containing information required to be disclosed by the Staff. The index contains the ADAMS accession number, date, and title of each item so as to make the item readily retrievable from the agency's website, www.nrc.gov, using the ADAMS "Find" function. Additionally, the Staff will have created a separate folder in the agency's Electronic Hearing Docket associated with this proceeding under the "Staff Discovery Materials" tab. Also attached, as required by § 2.336(c), is the Affidavit of Tom Tai.

Further, in accordance with the Initial Scheduling Order, the Staff herein produces a list identifying all documents withheld as proprietary, security-related, or Safeguards Information. The Staff shall preserve and maintain all privileged and/or otherwise protected documents during the pendency of this proceeding.

Respectfully submitted,

**/signed (electronically) by/**  
Michael Spencer  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
Washington, DC 20555-0001  
(301) 415-4073  
Michael.Spencer@nrc.gov

Enclosures: Attachment 1: Hearing File Index  
Attachment 2: List of Documents Withheld  
Attachment 3: Affidavit of Tom Tai

**Attachment 1**

**South Texas Project COL Hearing File and Mandatory Disclosures  
Hearing File Index  
Update 27 – January 3, 2012**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
27-1	ML11335A281	11/21/2011	2011/11/21 STP COL - Nov 23, 2011 Draft Agenda
27-2	ML11335A282	11/21/2011	2011/11/21 STP COL - Nov 23, 2011 Telecon Cancelled
27-3	ML11353A477	11/22/2011	2011/11/22 STP COL - NINA Open Items Telecom Agenda for November 23, 2011
27-4	ML11353A492	11/23/2011	2011/11/23 STP COL - STP - Backup for week of 11/28/11
27-5	ML11335A283	11/28/2011	2011/11/28 STP COL - Discussion Topic for ACSTIC2 Call on Wednesday
27-6	ML11353A484	11/28/2011	2011/11/28 STP COL - RE: STP supplemental FQ RAI
27-7	ML11336A241	11/28/2011	RAI 03.07.01-29, Supplement 1, Revision 1 - Attachment Pages 201 - 300 of 444.
27-8	ML11336A242	11/28/2011	RAI 03.07.01-29, Supplement 1, Revision 1 - Attachment Pages 301 - 374 of 444.
27-9	ML11336A244	11/28/2011	RAI 03.07.01-29, Supplement 1, Revision 1 - Attachment Pages 375 - 444 of 444.
27-10	ML11336A240	11/28/2011	RAI 03.07.01-29, Supplement 1, Revision 1 - Attachments Pages 101 - 200 of 444.
27-11	ML11335A232	11/28/2011	South Texas Project Units 3 and 4 - Response to Request for Additional Information.
27-12	ML11336A239	11/28/2011	South Texas Project, Units 3 & 4 - Revised Response to Request for Additional Information.
27-13	ML11353A482	11/29/2011	2011/11/29 STP COL - NINA Open Items Telecom Agenda for November 30, 2011
27-14	ML11353A481	11/29/2011	2011/11/29 STP COL - NINA Open Items Telecom Agenda for November 30, 2011
27-15	ML11353A479	11/29/2011	2011/11/29 STP COL - Re: STP - ACSTIC2 V&V Question
27-16	ML11353A478	11/29/2011	2011/11/29 STP COL - RE: STP - ACSTIC2 V&V Question
27-17	ML11353A480	11/29/2011	2011/11/29 STP COL - STP - ACSTIC2 V&V Question
27-18	ML11353A491	12/02/2011	2011/12/02 STP COL - FW: Section 3.7 & 3.8 Actions - Updated December 1, 2011
27-19	ML11353A489	12/02/2011	2011/12/02 STP COL - PROP: Phase 6 Chapter 4 FSER with no OI
27-20	ML11353A486	12/02/2011	2011/12/02 STP COL - RE: STP - NINA Letetr 110144
27-21	ML11353A487	12/02/2011	2011/12/02 STP COL - STP - NINA Letetr 110144

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
27-22	ML113340168	12/05/2011	11/23/2011 - Summary of Weekly Conference Call Meeting to Discuss Open Items and Outstanding RAI Responses Relating to NINA's South Texas Project Units 3 and 4 COL Application.
27-23	ML11353A464	12/05/2011	2011/12/05 STP COL - December 7, 2011 Telecon Agenda
27-24	ML11353A467	12/05/2011	2011/12/05 STP COL - FW: December 7, 2011 Telecon Agenda
27-25	ML11353A488	12/05/2011	2011/12/05 STP COL - RE: Audit this week
27-26	ML113340169	12/05/2011	Enclosure 1 - NINA Open Items Telephone Communication Attendees List for November 23, 2011.
27-27	ML11341A120	12/05/2011	South Texas Project, Units 3 and 4, Extended Submittal Date for Revised Technical Report.
27-28	ML11353A483	12/06/2011	2011/12/06 STP COL - Financial Qualifications DRAFT RAI
27-29	ML11353A463	12/06/2011	2011/12/06 STP COL - NINA/STP Open Items Telecom Agenda for December 7, 2011
27-30	ML11353A461	12/08/2011	2011/12/08 STP COL - FW: Are you in thursday?
27-31	ML11353A485	12/12/2011	2011/12/12 STP COL - FW: Clarification Action Items (120711)
27-32	ML11353A462	12/13/2011	2011/12/13 STP COL - NINA/STP OI Telecom Agenda for December 14, 2011
27-33	ML113480129	12/14/2011	Request For Additional Information Letter No. 388 Related To SRP Section 1 For The South Texas Project Combined License Application.
27-34	ML113490165	12/15/2011	Request for Additional Information Letter No. 414 Related To SRP Section 02.03.01 For The Nuclear Innovation North America, LLC, Combined License Application.
27-35	ML11353A418	12/19/2011	2011/12/19 STP COL - FW: Review Requested: FW: Complete (open+closed) Transcript for 10/4 ABWR SC Meeting
27-36	ML113550163	12/21/2011	NINA Handout For NRC Staff During General Financial's Public Meeting 12/13/2011.

**Attachment 2                      South Texas Project COL Hearing File and Mandatory Disclosures  
List of Documents Withheld – Proprietary Information, Security-Related Information, and Safeguards Information  
Update 27 – January 3, 2012**

Pursuant to the Initial Scheduling Order issued by the Licensing Board on October 20, 2009, the Staff is providing this list to identify the following documents withheld as proprietary, security-related, or Safeguards Information, and subject to protected status under 10 C.F.R. § 2.390.

<b>Accession Number</b>	<b>Author Name/ Affiliation:</b>	<b>Title/Description</b>	<b>Document Date</b>	<b>Document Type</b>	<b>Addressee / Addressee Affiliation</b>	<b>Comment</b>	<b>Pages</b>
27-1	Nuclear Innovation North America, LLC	South Texas Project, Units 3 & 4, 10/11/2011 Proprietary Presentation Regarding Financial Qualifications of NIINA.	10/18/2011	Meeting Briefing Package/ Handouts Slides and Viewgraphs	NRC/NRO	Proprietary Information	24
27-2	NRC/NRO	2011/12/21 STP COL - FW: Review Requested: FW: Complete (open+closed) Transcript for 10/4 ABWR SC Meeting - PROPRIETARY	12/21/2011	E-Mail	Nuclear Innovation North America, LLC	Proprietary Information	305
27-3	Nuclear Innovation North America, LLC	NINA Slide Presentation to NRC Staff on 10/11/2011 on DRAFT RAI 6049 Financial Qualifications.	11/14/2011	Meeting Briefing Package/ Handouts Slides and Viewgraphs	NRC/NRO	Proprietary Information	23

**Attachment 3**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
NUCLEAR INNOVATION NORTH )  
AMERICA LLC ) Docket Nos. 52-012 & 52-013  
 )  
(South Texas Project, Units 3 & 4) )

AFFIDAVIT OF TOM TAI CONCERNING  
MANDATORY DISCLOSURE REQUIREMENTS

I, Tom Tai, do hereby state as follows:

1. I am employed as a Project Manager in the BWR Projects Branch of the Division of New Reactor Licensing in the Nuclear Regulatory Commission's ("NRC") Office of New Reactors. I serve as a project manager for the NRC's review of the Combined License Application submitted by Nuclear Innovation North America LLC, at issue in this proceeding.

2. In accordance with 10 C.F.R. § 2.336(c), I hereby certify that all relevant materials required to be disclosed in the captioned proceeding have been disclosed and that the disclosures are accurate and complete for documents identified as of December 15, 2011.

3. In accordance with the Board's Initial Scheduling Order of October 20, 2009, the NRC staff conducted a reasonable good faith search for all documents or information, including electronically stored information, subject to the mandatory disclosure and hearing file requirements and the disclosure or production excludes only (a) documents or information exempted from disclosure pursuant to the law, including NRC regulations or this order, and (b) information that is not reasonably accessible because of undue burden or cost. The NRC staff has not excluded any information due to it not being reasonably accessible because of undue burden or cost.

4. I hereby certify under penalty of perjury that the foregoing is true and complete to the best of my knowledge, information, and belief.

**Executed in Accord with 10 CFR § 2.304(d)**

Tom Tai  
Project Manager, BWR Projects Branch  
Division of New Reactor Licensing  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D38M  
Washington, DC 20555-0001  
(301) 415-8484  
Tom.Tai@nrc.gov

Executed in Rockville, MD  
this 3rd day of January 2012

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
)  
NUCLEAR INNOVATION NORTH )  
AMERICA LLC ) Docket Nos. 52-012 & 52-013  
)  
(South Texas Project, Units 3 & 4) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated January 3, 2012, providing notice of the availability of the twenty-seventh update to the hearing file and mandatory disclosures made pursuant to 10 C.F.R. § 2.336, with attachments, together with the affidavit of Tom Tai, have been served upon the following persons by Electronic Information Exchange this 3rd day of January 2012:

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