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December 16, 2013

U. S. Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555
ATTN: David B. Matthews, Director
Division of New Reactor Licensing

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4
DOCKET NUMBERS 52-034 AND 52-035
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION 278 (7312)
(SECTION 13.6.1)

Dear Sir:

Luminant Generation Company LLC (Luminant) submits herein the response to Request for Additional Information (RAI) 278 (7312) for the Comanche Peak Nuclear Power Plant Units 3 and 4 Combined License Application. The RAI response addresses a proposed license condition regarding implementation of the Security Program.

Should you have any questions regarding the response, please contact Don Woodlan (254-897-6887, Donald.Woodlan@luminant.com) or me.

There are no commitments in this letter.

I state under penalty of perjury that the foregoing is true and correct.

Executed on December 16, 2013.

Sincerely,

Luminant Generation Company LLC

A handwritten signature in black ink that reads "Donald R. Woodlan for".

Rafael Flores

Attachment: Response to Request for Additional Information 278 (7312)

D090
NRO

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RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

Comanche Peak, Units 3 and 4

Luminant Generation Company LLC

Docket Nos. 52-034 and 52-035

RAI 278 (7312)

SRP SECTION: 13.06.01 - Physical Security

DATE OF RAI ISSUE: 12/6/2013

QUESTION NO.: 13.06.01-64

Comanche Peak, Units 3 and 4 COLA, Part 2, FSAR, Table 13.4-201, 'Operational Programs Required by NRC Regulation and Program Implementation,' Item 5, 'Security Program,' contains the following license condition:

The licensee shall implement the Security program prior to the initial receipt of special nuclear material (controlled access area).

This license condition applies to the Controlled Access Area for special nuclear material Physical Protection Program of new fuel prior to implementation of the of the Physical Security Program and Protected Area per 10 CFR 73.55.

Luminant is requested to delete the phrase 'of new fuel' so that the application of license condition now states:

This license condition applies to the Controlled Access Area for special nuclear material Physical Protection Program prior to implementation of the Physical Security Program and Protected Area per 10 CFR 73.55.

The technical basis for the request to remove "of new fuel" from the license condition is based upon Title 10 of the *Code of Federal Regulations* (10 CFR) 73.67 titled, "Licensee fixed site and in-transit requirements for the physical protection of special nuclear material of moderate and low strategic significance." Specifically, 10 CFR 73.67(f)(1), "Fixed site requirements for special nuclear material of low strategic significance," specifically requires, "Each licensee who possesses, stores, or uses special nuclear material of low strategic significance at a fixed sight or contiguous sites, except those who are licensed to operate a nuclear power reactor pursuant to part 50, shall:

- (1) Store or use the material only within a controlled access area, ..."

ANSWER:

This response relates to the Luminant response provided to CP RAI #198, Question 5, parts a.-c., submitted on May 6, 2011 (ML11129A156). That response is not changed, but FSAR Table 13.4-201 has been revised to remove the words "of new fuel" from the program title under Item 15. It was never Luminant's intent to limit this program to new fuel.

Impact on R-COLA

See attached marked-up FSAR Revision 4 page 13.4-9.

Impact on DCD

None.

Comanche Peak Nuclear Power Plant, Units 3 & 4
COL Application
Part 2, FSAR

CP COL 13.4(1)

Table 13.4-201 (Sheet 8 of 11)

Operational Programs Required by NRC Regulation and Program Implementation

STD COL 13.6(1)

Item	Program Title	Program Source (Required By)	FSAR (SRP) Section	Implementation	
				Milestone	Requirement
				Detailed implementing procedures for emergency planning submitted no less than within 180 days prior to scheduled date for initial loading of fuel.	10 CFR 50, Appendix E.V.
15.	Security Program	10 CFR 50.34(c)			
	<ul style="list-style-type: none"> Controlled Access Area for SNM Physical Protection Program of new fuel prior to implementation of the Physical Security Program and Protected Area per 10 CFR 73.55. 	10 CFR 73.1 10 CFR 73.67	13.6	Prior to initial receipt of special nuclear material (controlled access area)	License Condition
	<ul style="list-style-type: none"> Cyber Security Program 	10 CFR 73.54	13.6	Prior to receipt of fuel on-site in the protected area	License Condition
	<ul style="list-style-type: none"> Physical Security Program 	10 CFR 73.55 10 CFR 73.56 10 CFR 73.57	13.6	Prior to receipt of fuel on-site in the protected area	License Condition
	<ul style="list-style-type: none"> Safeguards Contingency Program 	10 CFR 26 10 CFR 50.34(d) 10 CFR 73, Appendix C	13.6	Prior to receipt of fuel on-site in the protected area	License Condition

RCOL2_13.0
6.01-64