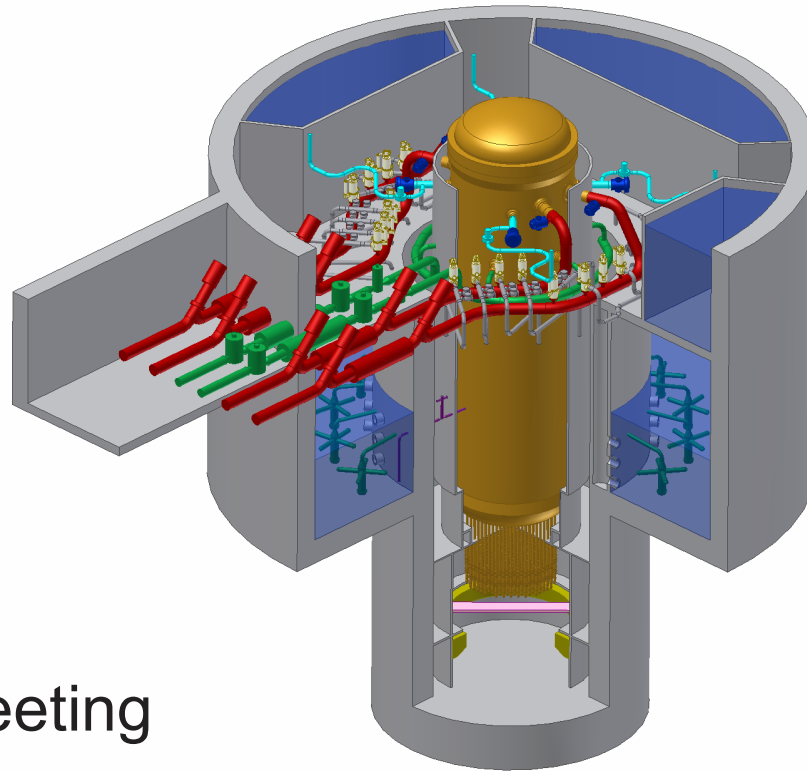


Exemptions



ESBWR Pre-application Meeting
October 12 and 13, 2004

ABWR Exemptions

- Operating Basis Earthquake (OBE)
 - > App A Part 100 still includes OBE
 - > ESBWR will likely request same exemption as ABWR from the OBE
 - > Implementation of RTNSS program may change GE position on OBE
- 50.49(b)(3) EQ of Electrical Equipment
 - > Footnote still refers to rev. 2 of RG 1.97
 - > ESBWR will follow the requirements contained in rev. 3 of RG 1.97

ABWR Exemptions (cont)

- Post Accident Sampling System (PASS)
 - > ESBWR will seek the same exemptions as that granted to the ABWR
 - Dissolved gasses
 - SECY 93-087 positions on boron and activity
- Safety Parameter Display System (SPDS)
 - > 10 CFR 50.34(f)(2)(iv)
 - No standalone display included in ESBWR
 - Function is provided by the normal operator displays
 - Can be transmitted to offsite facilities

ABWR Exemptions (cont)

- Dedicated Containment Penetration
 - > 10 CFR 50.34(f)(3)(iv)
 - ESBWR will have a Containment Overpressure Protection System (COPS)
 - Similar to ABWR
 - Design criteria will be similar
 - 3 foot diameter penetration is not required

New Exemptions

- ATWS

- > 10 CFR 50.62

- Automatic recirculation pump trip
 - ESBWR has no recirculation pumps and should therefore be exempt from this requirement

- Off-site Electrical Power

- > 10 CFR App A GDC 17

- Two independent circuits are not required for a passive plant
 - Plant will likely have 2 offsite circuits but do not want regulatory requirement to be the basis
 - Previously approved for passive plant

Requested NRC Actions

- Confirm that the exemptions that are likely to be requested for the ESBWR will be supported by the Staff
 - > Exemptions are same as those previously granted for other advanced plants
 - Recirculation pump trip is new but obviously not applicable to ESBWR