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U. S. Nuclear Regulatory Commission  
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Your ref: RIS 2006-009  
Our ref: DCP/NRC1762

July 14, 2006

Subject: Westinghouse Response to NRC Regulatory Issue Summary 2006-06

Attached are the Westinghouse Responses to the information request in NRC Regulatory Issue Summary 2006-06. While Westinghouse is not a COL applicant, we are actively involved with the AP1000 DCWG and fully supports use of standardized applications and the "one issue, one review, one position" strategy that the NRC has outlined in Regulatory Issue Summary (RIS) 2006-06. As outlined below, Westinghouse, in conjunction with NuStart and prospective COL applicants, is currently engaged in pre-application efforts to provide information for standardized applications and to support NRC Review using the design-centered review approach.

Westinghouse has submitted for NRC staff review, standardized technical reports to close activities included in AP1000 Design Control Document (DCD) COL Information Items and to propose a limited number of changes to the DCD. These reports provide a set of common COL closure activities and design changes that COL applicants referencing the AP1000 design certification are expected to reference in their applications. Additional submittal of standard technical reports is planned. The schedule, contents, and approach for these reports was outlined in a March 8, 2006 letter from NuStart to the NRC. The information in this letter was updated in a May 26, 2006 letter from NuStart to the NRC, and a subsequent update on July 7, 2006. Regular schedule updates will be provided to the NRC.

These technical reports provide the following:

- Supplemental information regarding activities required to complete and close COL Information Items.
- Supplemental information about activities required to complete and close design acceptance criteria (DAC) or design ITAACs.
- Design changes and changes to the DCD identified as a result of design completion activities and analysis activities to support extension of the design.

Westinghouse and NuStart have been discussing the plan for reviewing these reports with the NRC staff. The discussions include the expectations for staff review and the plan and schedule for submittal of the reports. These plans and schedules are documented in the letters mentioned above. In several areas Westinghouse and NuStart have prepared for NRC information and planning purposes separate written descriptions of more extensive activities to complete or partially complete COL information items and design related ITAACs. To date, these areas have included structural and seismic analysis, instrumentation and control design completion, piping design completion, human factors evaluations, and core and fuel design. It is expected that the NRC staff will undertake a more focused review effort on these subjects.

Westinghouse expects that NRC review of the technical reports may include generation of requests for additional information. Responses to requests for additional information may require revision of the technical reports. Some of the information in the technical reports may require meetings or telephone calls for NRC reviewers and Westinghouse technical experts to discuss the reports and related information. Some of the technical reports may require review or audits of calculations and detailed analyses by NRC staff or contractors. Westinghouse understands that the NRC review and positions will be documented in a safety evaluation report or equivalent.

If, based on rulemaking activities currently underway, appropriate changes to 10 CFR Part 52 permit a revised or supplemental design certification, Westinghouse intends to submit a request to revise or update the AP1000 design certification. This submittal is expected to be made in the second quarter of 2007, assuming the rulemaking activities are successful and support such a date. It is expected that almost all changes to the DCD will be those identified previously in the technical reports. The changes included in technical reports for which the NRC review is complete would need no additional NRC review. The technical reports have been written so that they can either be referenced by an applicant for a COL using the existing design certification or can be referenced in support of a request for a revised or updated design certification.

Once a conclusion has been reached on the Part 52 rule change regarding generic changes to a certified design, Westinghouse and NuStart expects to request a meeting with the NRC staff to discuss the approach, process, and policy issues related either to review a request for a revised or updated design certification, or disposition of technical reports if recertification cannot occur. In either case, the NRC approach or guidance relative to maintaining and maximizing finality for parts of the design certification not directly related to proposed changes will be of key importance in successfully updating the design certification and using updating of the design certification to advance standardization.

Westinghouse and NuStart will continue to periodically evaluate and update the list and schedule of technical reports to be provided for NRC staff review and will arrange for additional discussions when requested to clarify or support the information in specific technical reports.

Very truly yours,



A. Sterdis, Manager  
Licensing and Customer Interface  
Regulatory Affairs and Standardization

## /Attachment

1. "Westinghouse Response to NRC Regulatory Issue Summary, 2006-06 New Reactor Standardization Needed to Support the Design Centered Licensing Review Approach," dated July 14, 2006

cc:	S. Bloom	- U.S. NRC	1A
	S. Coffin	- U.S. NRC	1A
	J. Colaccino	- U.S. NRC	1A
	G. Curtis	- TVA	1A
	L. Dudes	- U.S. NRC	1A
	P. Grendys	- Westinghouse	1A
	C. I. Grimes	- U.S. NRC	1A
	P. Hastings	- Duke Power	1A
	C. Ionescu	- Progress Energy	1A
	T. A. Kevern	- U.S. NRC	1A
	D. Lindgren	- Westinghouse	1A
	A. Monroe	- SCANA	1A
	C. Pierce	- Southern Company	1A
	E. Schmiech	- Westinghouse	1A
	J. Wilson	- U.S. NRC	1A
	G. Zinke	- NuStart/Entergy	1A

## Attachment 1

### **Westinghouse Response to NRC Regulatory Issue Summary, 2006-06 New Reactor Standardization Needed to Support the Design Centered Licensing Review Approach**

Information Request #1: Whether applicants for the four designs discussed in this RIS will be organized into DCWGs; if so, the schedule for such organization and, if a single point of contact is designated for the DCWG, the contact's identity.

Response: The companies currently identified as also having intent to submit a combined license application for the AP1000 design have organized into a design-centered working group (DCWG), as discussed with the NRC Staff previously. Peter Hastings of Duke Energy has been identified as the AP1000 Reference Plant Licensing Lead for NuStart and NRC point of contact for the AP1000 DCWG:

Information Request #2: If a design-centered program is followed for a particular design, which applicant referencing the design will be designated as the R-COL applicant? In addition, when will (month and year) each of the COL applications be submitted for review?

Response: The standard technical reports submittals by Westinghouse for the AP1000 are made using the Bellefonte plant as the reference plant. For the new reactors of the AP1000 design, the reference combined license (R-COL) applicant will be submitted for the Bellefonte Project, as discussed with the NRC staff previously (each currently declared AP1000 applicant is a member of NuStart). The Bellefonte Project COL application is expected to be the earliest COL application for the AP1000 design. The dates of the Bellefonte Project and other applications are addressed in responses from those applicants.

Information Request #3: Whether applicants implementing the DCRA intend to provide RAI responses within the typical 30-day period.

Response: Westinghouse will endeavor to satisfy a 30-day period for responses to NRC requests for additional information on the standard technical reports whenever practical through close collaboration with the DCWG. We understand the need by the NRC to establish a planning basis for RAI responses and are committed to an aggressive schedule and approach to providing such responses. However, Westinghouse documents and responses to the NRC are subject to review by prospective AP1000 COL applicants through NuStart. When the response requires significant consensus content developed with the DCWG, the response period may approach 45 days. Longer periods may be necessary for RAIs requiring substantial new evaluation or analysis, or consisting of a substantial number of questions. When it is determined that the typical 30-day response period cannot be met, Westinghouse will contact the Project Manager and reach agreement on a schedule for providing the response to the NRC.

This aggressive 30-day period is contingent on timely, effective pre-request discussions between NRC, applicant, and/or industry representatives so that the information needs included within the RAIs are well understood (similar to the process utilized on the Early Site Permit application reviews and on recent Design Certification application reviews).

Information Request #4: To what degree standardization will be achieved, appropriately documented, and replicated in COL applications. Specifically, what portions of the R-COL application (chapter by chapter, section by section, subsection by subsection) will be standardized (i.e., replicated verbatim) in S-COL applications and what portions of the application are likely to be site-specific.

Response: Westinghouse supports and endorses the design-centered review approach proposed by the NRC. The technical reports being provided by Westinghouse are being written to be applied generically by COL applicants referencing AP1000 Design certification. AP1000 COL applications are expected to be standardized except for those limited portions where site-specific conditions require otherwise. The responses from COL applicants provide additional information about standardization. Revising or updating the AP1000 Design Certification Rule would provide additional standardization benefit by resulting in a standard, updated reference for all AP1000 COL applicants to use.

Information Request #5: Whether, for each design-centered program, the vendor and applicants intend to submit pre-application topical reports for staff review. If so, how many? For each such report anticipated, please summarize the report scope and content and the proposed submittal schedule.

Response: Westinghouse has already provided many pre-application technical reports for NRC review. The scope and schedule for these reports has been previously provided to the NRC in the March 8, 2006 letter and subsequent updates. Additional standardized items are also being considered by the AP1000 DCWG but have not yet been finalized. Information concerning such submittals will be coordinated with the NRC Staff in advance to facilitate planning and resource allocation.

Information Request #6: Whether any applicants intend to apply for an ESP prior to submitting their COL applications. If so, when (month and year) would the proposed ESP be submitted to the NRC for review?

Response: This question is not applicable to Westinghouse and AP1000 design certification. Please refer to the responses from COL applicants.