

September 12, 2007

PARTICIPANTS: AP1000 and ESBWR Design-Centered Working Groups

SUBJECT: SUMMARY OF THE MAY 2 AND 3, 2007, MEETING TO DISCUSS  
PRE-COMBINED LICENSE APPLICATION ISSUES

On May 2 and 3, 2007, a Category 2 public meeting was held between the U.S. Nuclear Regulatory Commission (NRC) and representatives of the industry AP1000 and Economic and Simplified Boiling Water Reactor (ESBWR) Design-Centered Working Groups (DCWG), at NRC Headquarters, 11555 Rockville Pike, Rockville, Maryland, (May 2) and the Rockville Hilton, 1750 Rockville Pike, Rockville, Maryland (May 3). The purpose of the meeting was to discuss pre-application issues and activities associated with development of combined license (COL) applications by the nuclear industry. A list of meeting attendees is included in Enclosure 1.

The meeting agenda and handouts may be accessed through the Agencywide Documents Access and Management System (ADAMS) at Accession No. ML071300087. This system provides text and image files of the NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the handouts located in ADAMS, contact the NRC Public Document Room reference staff at 1-800-397-4209, 301-415-4737, or by e-mail at [pdr@nrc.gov](mailto:pdr@nrc.gov).

The May 2 and 3, 2007, public meeting was the latest in a series of joint meetings with both the AP1000 and ESBWR DCWGs to discuss pre-application and COL activities and topics of interest. A summary of the meeting and selected issues is provided in the following paragraphs.

#### ESBWR Design Certification and COL Application Concurrent Reviews

DCWG representatives presented an update on the current integrated effort for parallel development of the revised ESBWR Design Control Document (DCD) and forthcoming COL applications. The scheduled submission of Revision 4 of the DCD has been revised such that it will be submitted prior to, rather than concurrent with, the COL applications (COLAs). This scheduled revision is intended to establish a clear roadmap between the DCD and COLAs and enable Revision 4 to form the basis for the NRC's COLA acceptance and docketing. The primary focus of Revision 4 will be to address issues related to COL items and Tier 1 modifications related to inspection, test, analyses, and acceptance criteria (ITAAC). COLAs to be submitted in November 2007, will reference Revision 4.

It is anticipated that DCD Revision 5 will be submitted following completion of the acceptance reviews for COLAs submitted in November. Revision 5 would reflect an essentially complete design and be intended to form the basis for the NRC's Safety Evaluation Report (SER) for ESBWR design certification. Revision 1 to the previously-submitted COLAs would be submitted subsequent to DCD Revision 5 to accurately maintain the reference relationship between the COLAs and the DCD.

The DCWG is currently evaluating their proposed approach against existing schedules and will submit a letter providing DCD schedules and content based on this approach. The members committed to providing a clear tracking system for following COL items that are changed in future DCD revisions.

The NRC staff noted the importance of industry-staff coordination regarding DCD and COL issues and early notification to the staff of industry-initiated changes or scheduled revisions. The staff also noted that any major changes in DCD Revision 4 or 5 may lead to schedule delays associated with additional RAs and analysis. Following the DCWG presentation, the staff provided an overview of the new reactors scheduling activities being developed and identified how resources will be allocated for the concurrent reviews.

#### Design Acceptance Criteria (DAC)

Members of the AP1000 DCWG presented a summary of the plans to resolve AP1000 piping DAC prior to issuance of the COLs. An overview of the status of AP1000 piping DAC can be found in the meeting handouts.

The NRC staff presented overview material on DAC and how resolution of the various DAC topics may be accomplished, as well as the impact various methods of resolving DAC may have on the overall schedule, hearing opportunities, level of standardization, and resources. A summary of this material and a graphic of the time lines is included in the meeting handouts.

Discussion ensued following the two presentations, during which issues were debated between the NRC staff and the DCWG representatives. Selected points of discourse follow:

- Westinghouse agreed to provide a schedule for submitting the remaining 100+ design packages (both summary and detailed) for the AP1000 piping. A detailed discussion occurred on how these reports will be submitted, what level of detail they will include, and whether they will satisfy DAC without further supplementation.
- The staff noted that DAC was initially meant to be reviewed when a particular design was virtually complete and ready for installation. The staff stated that the completion level of the AP1000 design to date is not sufficient to complete acceptance audits and that the threshold for closing DAC is still unclear.
- Discussion enumerated the difficulties of resolving DAC in the “as-built” versus the “as-designed” completion phase and vice versa. Participants are aware that DAC closure can only occur after reconciliation of the standard design against the as-built plant, seismic spectra, fatigue analysis, etc. However, since much of the information will not be available until the as-built design report is completed, a question was raised on whether the staff would be willing to accept that situation.

#### Updated 10 CFR Part 52

The staff presented an overview of the recent changes to 10 CFR Part 52. The staff noted that a more complete summary of these changes are available in the related Staff Requirements Memorandum (SRM) and that the revised 10 CFR Part 52 rule was made publicly available.

### Updated Limited Work Authorization (LWA) Rule Guidance Document

NRC staff discussed the tenets and implementation of the LWA rule and addressed several questions on the LWA rulemaking posed by industry representatives. The staff clarified that a future Office Instruction will be drafted to discuss the safety aspects of LWAs and that RG 1.206 may include a section on how to address the safety portion of an LWA request.

The staff also noted that the LWA section of 10 CFR Part 52 will be issued after the main sections of Part 52. This discussion led to a brief overview of the changes to 10 CFR Part 73 and its associated rulemaking. The schedule for this rulemaking has not been fully developed, but a revision to the related SRM will be made to reflect the finalized changes to Part 73.

### Status of Regulatory Guidance

The NRC provided an update on RG 1.206 and answered several questions posed in earlier DCWG meetings that are related to ongoing workshops on electronic submittal of the DCD and upcoming COLAs. It was noted that the threshold and method for recording departures and variances from the standard DCD will be addressed in an upcoming response to an Nuclear Energy Institute letter.

### Response to Regulatory Information Summary (RIS) 2007-08

DCWG members noted that they have created a template for responding to the questions posed in RIS 2007-08. The staff requested that RIS responses be as non-proprietary as possible to facilitate processing, and that proprietary sections be marked.

A discussion of the schedule impact for review of non-standard parts of each application (i.e. site specific) led to questions on how the NRC review work will be scheduled and prioritized. In general, the NRC staff identified that: 1) the availability of resources is a significant factor in determining a schedule; 2) prioritization ranking will be a decision by senior-level management; and, 3) no formula currently exists to prioritize work.

### COL Application Level of Detail

The staff and DCWG representatives discussed various topics related to the content and level of detail contained in COL applications. Topics included electronic submittal of COL applications, incorporating by reference the DCD into COL applications, exemption considerations, and topical reports. A listing and summary of these topics is included in the meeting handouts.

### COL Application - Sensitive and Safeguards Information

DCWG representatives outlined an approach to address Safeguards information (SGI) and sensitive, unclassified, non-Safeguards information (SUNSI) in the COLA. It is anticipated that SGI would be included in Part 8 of the COLA and SUNSI would be included in Part 9. The entire COLA, including Parts 8 and 9, would be appropriately labeled as "SGI" and the COLA without Part 8 would be appropriately labeled as "SUNSI." The version of the COLA available to the public would exclude both Parts 8 and 9.

The staff expressed a concern that the proposed approach, coupled with the electronic format and cross-linking of the submittals, may cause the COLA to be unnecessarily splintered. A plan for providing paper copies to interested parties may be explored.

#### Impact of Construction on Operating Plants

DGWW representatives gave a presentation regarding the construction of new plants on sites with existing plants, and the responsibility of licensees for inspecting and controlling aspects of construction for new units that may affect operating units.

The staff noted that this issue is addressed in 10 CFR Part 52.79(a) and the Standard Review Plan. The FSAR should: 1) generally describe construction activity hazards to operating plant(s); 2) generally describe structures, systems, and components important to safety that could be exposed to construction activity hazards; and 3) generally describe managerial and administrative controls over the process.

#### Action Item Review

DCWG representatives and the staff discussed the topics and issues remaining open from prior DCWG meetings and identified new action items to be addressed at the next meeting planned for June 13 and 14, 2007. Action items to be addressed by the staff include: 1) feedback regarding the DCWG proposed approach for withholding sensitive or proprietary information in the COLA and, 2) clarification regarding the COLA acceptance review process.

Members of the public attended this DCWG meeting. No Public Meeting Feedback forms were received.

Please direct any inquiries to me at 301.415.0224 or [TAK@nrc.gov](mailto:TAK@nrc.gov).

**/RA/**

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Division of New Reactor Licensing  
Office of New Reactors

Project Nos.: 738, 740, 741, 742, 743, 744, 745, and 755

Enclosure:  
List of Meeting Attendees

cc w/encl: See next page

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DATE	08/27/2007	09/12/2007

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Meeting Summary for May 2 and 3, 2007 from Tom Kevern dated September 12, 2007

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MCaruso

MComar

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SMonarque

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BRadlinski

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MVaaler

GTesfaye

KWinsburg

JJolicouer

MGavrillas

PCochran

JWilson

**Attendance List**

**AP-1000 and ESBWR DCWG Meeting  
May 2 and 3, 2007  
9:00 a.m. - 5:00 p.m.**

Name	Organization
Russ Bell	NEI
Michael Bennett	Enercon Services
Tom Bergman	NRC/NRO
Gina Borsh	Dominion
Robert Brown	GE
Sheryl Burrows	NRC
Ray Burski	Enercon Services
Dennis Buschbaum	TXU Power
Patricia Campbell	GE
Mark Caruso	NRC/NRO
Stephanie Coffin	NRC/NRO
Joseph Colaccino	NRC/NRO
Manny Comar	NRC
Amy Cubbage	NRC/NRO
Gary Curtis	TVA
Jennifer Dixon-Herrity	NRC/NRO
Joe Donoghue	NRC/NRO
Laura Dudes	NRC/NRO
Eugene Eagle, Jr.	NRC/NRO
Bob Evans	Enercon Services
Rocky Foiten	NRC/NRO
Steven Frantz	Morgan Lewis

Name	Organization
Meghan Goldman	DOE
Eddie Grant	NuStart
Eugene Grecheck	Dominion
Al Gutterman	Morgan Lewis
Hossein Hamzehee	NRC/NRO
Satoshi Hanada	MNES
Peter Hastings	Duke/NuStart
Joe Hegner	Dominion
Thomas Hicks	NuStart
David Holt	Bechtel
Kenneth Hughey	Entergy
Mike Jonzen	Areva
Tom Kevern	NRC/NRO
James Kinsey	GE
Philip Kotwicki	Westinghouse
Marilyn Kray	NuStart
Hulbert Li	NRC
Yue Li	NRC
Steve Love	GE
Sarah Lynch	US GAO
Tom McCallum	Southern Nuclear
Eileen McKenna	NRC/NRO
Mark Melnicoff	NRC/NRO
Joseph A. Mihalcik	UniStar Nuclear
Tom Miller	DOE
Stephen Monarque	NRC/NRO
Amy M. Monroe	SCE&G
Lynn Mrowca	NRC/NRO
Mosamori Onozuka	MNES



Name	Organization
David Piepmeyer	GE
Charles Pierce	Southern Nuclear
Berger Pierre	EDF
Lauren Quinones-Navarro	NRC/NRO
Bob Radlinski	NRC/NRO
Bill Reckley	NRC/NRO
Cal Reid	Bechtel
Steve Routh	Bechtel
Pedro Salas	Areva
Serita Sanders	NRC/NRO
Thomas Scarborough	NRC/NRO
Roger Scott	NuStart
Mohammed Shuaibi	NRC/NRO
Julie Silvers	US GAO
Tom Slavonic	Enercon Services
Marvin Smith	Dominion
Rebecca Smith-Kevern	DOE
Joelle Starefos	NRC/NRO
James Steckel	NRC/NRO
Andrea Sterdis	Westinghouse
Getachew Tesfaye	NRC
Junichi Uchiyama	MHI
Marlayna Vaaler	NRC/NRO
Bob Weisman	NRC/OGC
Tom Williamson	Entergy/NuStart
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