

September 13, 2007

Ms. Andrea Sterdis, Manager
Licensing and Customer Interface
Regulatory Affairs and Standardization
Westinghouse Electric Company
Nuclear Power Plants
P.O. Box 355
Pittsburgh, PA 15230-0355

SUBJECT: WESTINGHOUSE AP1000 STANDARD COMBINED LICENSE TECHNICAL
REPORT 117, INCORPORATION OF THE MAINTENANCE RULE (APP-GW-
GLR-117), REVISION 0

Dear Ms. Sterdis:

By letter dated May 24, 2007, 2007, Westinghouse Electric Company (Westinghouse) submitted AP1000 Technical Report (TR) 117, "Incorporation of the Maintenance Rule," Revision 0, to facilitate the revision to the AP1000 Design Control Document (DCD) to incorporate the approach to the Maintenance Rule as documented in Nuclear Energy Institute (NEI) 07-02, "Generic FSAR Template Guidance for maintenance Rule Program Description for Plants Licensed Under 10 CFR Part 52."

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed TR 117, and based upon this review, the NRC staff has determined that the intent of TR 117 was to replace the operational reliability assurance activities (Section 17.4, Design Reliability Assurance Program) with the approach outlined in NEI 07-02; however, the operational reliability assurance activities not only include the Maintenance Rule program, but also the Combined Operating License holder's maintenance and surveillance programs and quality assurance program. NEI 07-02 explains how to perform and maintain the Maintenance Rule program and does not address the other aforementioned programs. Furthermore, since NEI 07-02 is currently being reviewed, it has not yet been approved and endorsed for use, by the NRC Staff.

Based upon the above, the NRC staff has determined that the proposed changes to the DCD, associated with TR 117, to revise the operational reliability assurance provisions, are not acceptable.

A. Sterdis

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Please contact me at (301) 415-1439, if you have any other questions on this issue.

Sincerely,

/RA/

David H. Jaffe, Senior Project Manager
AP1000 Projects Branch 2
Division of New Reactor Licensing
Office of New Reactors

Project No. 740

cc: See next page

A. Sterdis

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Sincerely,

/RA/

David H. Jaffe, Senior Project Manager
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cc:

Mr. Glenn H. Archinoff
AECL Technologies
481 North Frederick Avenue
Suite 405
Gaithersburg, MD 20877

Ms. Michele Boyd
Legislative Director
Energy Program
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Barton Z. Cowan, Esquire
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, PA 15219

Mr. Marvin Fertel
Senior Vice President
and Chief Nuclear Officer
Nuclear Energy Institute
1776 I Street, NW
Suite 400
Washington, DC 20006-3708

Mr. Ray Ganthner
AREVA, Framatome ANP, Inc.
3315 Old Forest Road
P.O. Box 10935
Lynchburg, VA 24506-0935

Mr. Jay M. Gutierrez
Morgan, Lewis & Bockius, LLP
1111 Keystone State Avenue, NW
Washington, DC 20004

Mr. Gary Wright
Director
Division of Nuclear Facility Safety
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, IL 62704

Ms. Sophie Gutner
P.O. Box 4646
Glen Allen, VA 23058

Mr. Ronald Kinney
South Carolina DHEC
2600 Bull Street
Columbia, SC 29201

Ms. Marilyn Kray
President
NuStart Energy Development, LLC
200 Exelon Way, KSA3-N
Kennett Square, PA 19348

Dr. Gail H. Marcus
U.S. Department of Energy
Room 5A-143
1000 Independence Avenue, SW
Washington, DC 20585

Dr. Regis A. Matzie
Senior Vice President and
Chief Technology Officer
Westinghouse Electric Company
20 International Drive
Windsor, CT 06095

Mr. Ed Wallace
General Manager
Projects
PBMR Pty LTD
P.O. Box 9396
Centurion 0046
Republic of South Africa

Email

amonroe@scana.com (Amy Monroe)
APAGLIA@Scana.com (Al Paglia)
APH@NEI.org (Adrian Heymer)
awc@nei.org (Anne W. Cottingham)
bennettS2@bv.com (Steve A. Bennett)
bob.brown@ge.com (Robert E. Brown)
BrinkmCB@westinghouse.com (Charles Brinkman)
Carellmd@westinghouse.com (Mario D. Carelli)
chris.maslak@ge.com (Chris Maslak)
cristina.Ionescu@pgnmail.com (Christina Ionescu)
crpierce@southernco.com (C.R. Pierce)
CumminWE@Westinghouse.com (Edward W. Cummins)
cwaltman@roe.com (C. Waltman)
david.hinds@ge.com (David Hinds)
david.lewis@pillsburylaw.com (David Lewis)
dlochbaum@UCSUSA.org (David Lochbaum)
eddie.grant@excelservices.com (Eddie Grant)
erg-xl@cox.net (Eddie R. Grant)
frankq@hursttech.com (Frank Quinn)
garry.miller@pgnmail.com (Garry D. Miller)
gcesare@enercon.com (Guy Cesare)
greshaja@westinghouse.com (James Gresham)
gwcurtis2@tva.gov (G. W. Curtis)
gzinke@entergy.com (George Alan Zinke)
ian.c.rickard@us.westinghouse.com (Ian C. Richard)
james.beard@gene.ge.com (James Beard)
jcurtiss@winston.com (Jim Curtiss)
jgutierrez@morganlewis.com (Jay M. Gutierrez)
jim.riccio@wdc.greenpeace.org (James Riccio)
jim@ncwarn.org (Jim Warren)
JJNesrsta@cpsenergy.com (James J. Nesrsta)
john.o'neil@pillsburylaw.com (John O'Neil)
Joseph.savage@ge.com (Joseph Savage)
Joseph_Hegner@dom.com (Joseph Hegner)
junichi_uchiyama@mhi.co.jp (Junichi Uchiyama)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
lindg1da@westinghouse.com (Don Lindgren)
lynchs@gao.gov (Sarah Lynch - Meeting Notices Only)
maria.webb@pillsburylaw.com (Maria Webb)
mark.beaumont@wsms.com (Mark Beaumont)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
maurerbf@westinghouse.com (Brad Mauer)
media@nei.org (Scott Peterson)
mike_moran@fpl.com (Mike Moran)
mwetterhahn@winston.com (M. Wetterhahn)
nirsnet@nirs.org (Michael Mariotte)
patriciaL.campbell@ge.com (Patricia L. Campbell)

paul@beyondnuclear.org (Paul Gunter)
paul.gaukler@pillsburylaw.com (Paul Gaukler)
Petrovb@westinghouse.com (Bojan Petrovic)
pshastings@duke-energy.com (Peter Hastings)
rclary@scana.com (Ronald Clary)
rgrumbir@comcast.net (Richard Grumbir)
RJB@NEI.org (Russell Bell)
RKTemple@cpsenergy.com (R.K. Temple)
robert.kitchen@pgnmail.com (Robert H. Kitchen)
roberta.swain@ge.com (Roberta Swain)
ronald.hagen@eia.doe.gov (Ronald Hagen)
sandra.sloan@areva.com (Sandra Sloan)
sfrantz@morganlewis.com (Stephen P. Frantz)
sterdia@westinghouse.com (Andrea Sterdis)
steven.hucik@ge.com (Steven Hucik)
Tansel.Selekler@nuclear.energy.gov (Tansel Selekler)
tom.miller@hq.doe.gov (Tom Miller)
tomccall@southernco.com (Tom C. Call)
trsmith@winston.com (Tyson Smith)
vijukrp@westinghouse.com (Ronald P. Vijuk)
waraksre@westinghouse.com (Rosemarie E. Waraks)
wayne.marquino@ge.com (Wayne Marquino)
whorin@winston.com (W. Horin)