



52-003

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NSRA-APSL-92-0186

September 9, 1992

Dr. Thomas Murley
Director
Office of Nuclear Reactor Regulation
United States Nuclear Regulatory Commission
Washington, DC 20555

SUBJECT: COMMENTS ON SECY-92-294

Docket STN 52-003

Dear Dr. Murley:

On June 26, 1992, Westinghouse submitted an application for a Final Design Approval, (FDA), under Appendix O of 10 CFR 52 and a Standard Design Certification under 10 CFR 52 for the AP600. The submittal included the AP600 Standard Safety Analysis Report (SSAR) and AP600 Probabilistic Risk Assessment (PRA) report and a set of pilot Inspections, Tests, Analysis and Acceptance Criteria (ITAAC). The AP600 SSAR and PRA report represent a significant effort on the part of Westinghouse under our contracts to the Department of Energy and the Electric Power Research Institute to develop and certify a passive pressurized ALWR by the mid 1990s. We believe the AP600 application is the most complete application yet submitted by a plant design organization for a FDA and Design Certification under Part 52.

On August 24, 1992, the staff issued SECY-92-294 which provides the results of the NRC staff acceptance review of the AP600 submittal. The review resulted in the assignment of a docket number to the AP600 project "because of the extensive amount of information in the June 26, 1992 application". However, the AP600 application was not docketed because the staff believes the application was incomplete. The following paragraphs provide the Westinghouse perspective on SECY-92-294.

Items required by 10 CFR 52.47

The staff identified two items required by 10 CFR 52.47 as not having been submitted with the application: (1) a complete set of ITAAC and (2) certain topical reports (WCAPs) referenced in the application.

1. A pilot set of three ITAAC was submitted with the SSAR and PRA report. Seven additional ITAAC were submitted to the NRC for review on September 4, 1992. Our objective is to have all system ITAAC complete and submitted to the NRC for review on October 23, 1992. The balance of the ITAAC will be submitted by December 15, 1992.

The NRC staff and the industry have been discussing ITAAC since 1989 and have yet to reach agreement on the form and content of a single ITAAC. Mr. Carlo Caso, in his letter of September 1, 1992, committed that Westinghouse is availing itself of the lessons learned from the industry in developing the AP600 ITAAC. We will be attending the industry review of the GE ABWR ITAAC during September and October to ensure that the essence of the industry thinking on ITAAC is captured for application to the AP600. We do not believe we should be penalized, however, for this approach, especially since other ALWR applications have been docketed without complete ITAAC submittals. Moreover, as stated in the NUMARC Report of the Task Group on ITAAC, dated June 20, 1990: "... ITAAC, in a sense, are principally a reformatting of information contained in the SSAR and existing verification programs ...".

Westinghouse agrees that there are benefits to reviewing the ITAAC in parallel with the SSAR and PRA material and that the FDA issuance should not precede the ITAAC approval if the design has been submitted for a standard design certification. However, Westinghouse strongly disagrees that there is a day-for-day slip in the review schedule for a design if the complete set of ITAAC is not present at the time of the filing of the application. At best, the issue of whether submittal of the ITAAC will cause a delay can only be determined after the ITAAC are received by the staff. In the meantime, the reviewers have a large amount of design description available in the SSAR and PRA to begin the review. We believe the net result should be little, if any, delay.

In addition to the feedback from the industry, Westinghouse believes that feedback from the NRC staff on the ten ITAAC thus far submitted is important to our producing high quality ITAAC submittals in October and December. We look forward to your early review and comment on the material thus far submitted.

2. The great majority of the WCAPs referenced in the SSAR and PRA report were submitted and in the possession of the staff long before the SSAR and PRA report were submitted. Several, however, were submitted shortly after June 26, 1992. We believe all referenced WCAPs have now been submitted.

SECY-92-294 suggests that certain WCAPs need to be revised to reflect the final AP600 design. A listing of the "certain" topical reports the staff believes need to be updated is required for Westinghouse to adequately respond to the request stated in the SECY. However, this will be an ongoing process and in our view does not represent an incomplete item in the AP600 application. The staff has verbally identified topical reports describing the SPES-2 facility as needing to be updated. The topical reports that describe the SPES-2 facility will be updated once Westinghouse and the NRC agree on the final facility configuration. This process is consistent with past commission practice in handling topical reports.

Other Items Pertinent to the Review

SECY-92-294 identifies three other items (not referenced in Part 52) as pertinent to the review of the AP600 application which have not yet been submitted. The staff has stated that the Commission as a policy matter desires to have these submittals, and Westinghouse intends to make the submittals by December 15, 1992. However, these items (discussed below) should not be the cause of considering the AP600 application to be incomplete and certainly do not warrant delay in docketing or review of the application.

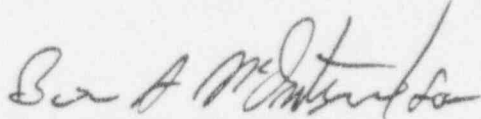
1. The SRM referenced by the staff requires that a comparison be made between the utility requirements document (URD) and a design submitted for an FDA and design certification. We will provide the staff with a summary of those URD requirements that are outside the scope of the design certification rulemaking and any areas where the AP600 does not conform to Volume III of the URD. This comparison will be made against the version of Volume III of the URD reviewed by the staff for the DSER. It should be noted that there were 263 open items, 27 confirmatory items and 254 vendor design specific items in the April 24, 1992 DSER for Volume III of the URD. The ALWR staff is presently working to close out as many of these items as possible. Our initial review of the URD will not capture this dynamic process, periodic updates will thus be necessary. The material will be submitted to the NRC by December 15, 1992.
2. The SECY requests detailed discussion of the manner in which operations experience was incorporated into the AP600 design. Westinghouse is reviewing the NRC bulletins, generic letters and information notices written since January 1, 1980 to establish which are applicable to the AP600 design. For those communications that are applicable, a discussion will be presented detailing how this experience was incorporated into the AP600 design. The material will be submitted to the NRC by December 15, 1992.
3. The SECY requested a discussion of severe accident mitigation design alternatives (SAMDA). SAMDAs are required by the National Environmental Policy Act. Although an environmental impact statement is not specifically required for standard plant design certification under Subpart B of 10 CFR 52, considerations of design alternatives would be an essential element in the application for a combined license under Subpart C of 10 CFR 52 that references a certified design. To achieve issue foreclosure on this aspect of the AP600 design, there is a benefit in addressing the SAMDAs at the time of the design certification rulemaking.

The scope of a SAMDA review for an advanced plant design is an industry issue. NUMARC has been working with the NRC staff to develop an approach on this issue. Westinghouse had hoped to take advantage of this industry resolution to develop the AP600 SAMDA position paper. Much like ITAAC, there has yet to be an acceptable SAMDA submittal for an advanced plant design. Westinghouse will, however, develop a summary of severe accident mitigation design alternatives, including a cost benefit analysis, for the AP600 and submit them to the NRC by December 15, 1992.

The SECY states that the "AP600 must also be consistent with the final agency positions that have not yet been established on applicable policy issues that are identified during the staff's review of ALWRs". Since these positions have yet to be established, it is not possible at this time to evaluate whether the AP600 design is in compliance. These are the type of details that have been traditionally resolved as a part of the review process and should not prevent the docketing of the AP600 design certification application or the formal initiation of the AP600 FDA and design certification reviews.

Westinghouse appreciates that "the staff has assigned a docket number to the AP600 project 'because of the extensive amount of information in the June 26, 1992, application". Westinghouse believes this same information is sufficiently complete for the staff to docket the application (if there is a difference between assigning a docket number and docketing) and is sufficient to enable the staff to establish a formal review schedule. The purpose of the predocketing review is to determine if there is sufficient information to allow the staff to conduct a meaningful review and to determine that an applicant intends to pursue the application. The absence of complete ITAAC, particularly in light of the ongoing NRC/industry effort in this area, should not preclude finding that the description of the plant in the AP600 application is sufficiently complete to allow docketing. Moreover, it was pointed out in

the SECY, "there is no question that the petitioner (Westinghouse) intends to complete the petition for design certification". Accordingly, Westinghouse requests the NRC to formally accept the June 26, 1992 AP600 submittal as a docketed petition for design certification.



N. J. Liparulo, Manager
Nuclear Safety and Regulatory Activities

/nja

cc: Chairman Ivan Selin
Commissioner Forrest J. Remick
Commissioner E. Gail de Planque
Commissioner James R. Curtiss
Commissioner Kenneth Rogers
Mr. Carlo L. Caso
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