

April 24, 2003

Mr. W. E. Cummins, Director
AP600 & AP1000 Projects
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230-0355

Dear Mr. Cummins:

In my letter to you dated February 28, 2003, I described the process by which the Nuclear Regulatory Commission (NRC) could provide Westinghouse Electric Company (Westinghouse) with the February 25, 2002, interim compensatory measures for power reactors (ICMs) and the revised design basis threat (DBT) to aid in the development of your application for certification of the AP1000 reactor design. The subject information has been determined to be sensitive-unclassified information of a type specified as safeguards information (SGI) in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 73.21. Your response of March 31, 2003, stated that you welcomed the opportunity to obtain this information and that Southern Nuclear Operating Company (SNC) would be your consultant and sponsor in matters related to safeguards and security for the AP1000. Attached to your letter was a copy of a letter from SNC to Westinghouse providing the address that the NRC should send the SGI and a statement certifying that all such information will be controlled in accordance with 10 CFR 73.21 and SNC's safeguards information procedures.

Based on the information you have provided to the NRC in your letter dated March 31, 2003, the NRC has determined that Westinghouse has provided assurance that it will protect the information in accordance with the requirements of 10 CFR 73.21. Therefore, a copy of the February 25, 2002, ICMs will be sent to the address provided by SNC under separate cover. As of the date of this letter, the revised DBT has not been issued by the Commission. When the revised DBT becomes available, it will be sent to SNC for use by Westinghouse.

The NRC would like to schedule a meeting with Westinghouse representatives at NRC Headquarters as soon as possible to discuss the details of how the insights gained from the September 11, 2001, events will be incorporated into the AP1000 design. This would be a closed meeting because it would involve the discussion of SGI. A member of my staff will contact you shortly to arrange this meeting.

If further assistance is necessary, please contact Joseph Colaccino at 301-415-2753 or jxc1@nrc.gov.

Sincerely,

/RA/

James E. Lyons, Director
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

Docket No. 52-006

cc: See next page

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James E. Lyons, Director
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

Docket No. 52-006

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ADAMS ACCESSION NUMBER: ML030990158

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NAME	JColaccino	LSilvios	MGamberoni	JLyons
DATE	4/17/2003	4/22/2003	4/23/2003	4/24/2003

OFFICIAL RECORD COPY

Distribution for WITS #20030021 to W.E. Cummins dated April 24, 2003

Hard Copy

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BWetzel

SStein

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SMorris

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OPA

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NRR Mailroom (WITS #200300021)

STaylor

AP 1000

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