

December 2, 2003

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

SUBJECT: UPDATE OF AP1000 DESIGN CERTIFICATION REVIEW SCHEDULE

Dear Mr. Cummins,

By letter dated July 12, 2002, I provided you a schedule for the AP1000 design certification review through the completion of design certification rulemaking (ADAMS Accession Number ML021930037). In this letter I also stated that my staff planned to reevaluate the AP1000 schedule after the issuance of the draft safety evaluation report (DSER). As you know, on June 16, 2003, the Nuclear Regulatory Commission (NRC) issued the AP1000 DSER (ADAMS Accession Number ML031671368). Based on the number of open items identified in the DSER and the time needed to resolve the open items and process the final safety evaluation report (FSER), my staff has concluded that the FSER schedule remains September 13, 2004. However, my staff has concluded that the Final Design Approval (FDA) can be issued at the same time as the FSER. In addition, it may be possible to complete the design certification rulemaking five months earlier than previously scheduled. Enclosure 1 identifies the major milestones that we are working to in order to complete the FSER on schedule.

The staffs of both Westinghouse and NRC have been working closely to resolve the AP1000 DSER open items since the issuance of the DSER. As of the date of this letter, 136 of the 174 DSER open items are considered to be either resolved (no additional information needed by the NRC staff to write the FSER) or confirmatory (Westinghouse has agreed to make a change to the AP1000 design control document which will be confirmed by the NRC staff prior to the issuance of the FSER). My staff would like to propose that we have a public meeting to discuss all of the remaining open items in mid December. In addition, I plan to send you a letter highlighting the significant issues that need to be addressed prior to the issuance of the FSER in January 2004.

With regard to the current schedule, provided that no new significant technical issues arise, we have concluded that the September 13, 2004, FSER issuance date remains possible. In order for the NRC staff to complete the FSER by September 13, 2004, the NRC staff believes the following milestones must be met:

- 1) Westinghouse must provide responses to all open items, and the NRC staff must determine that these responses are acceptable, by March 31, 2004.

- 2) Westinghouse must submit the final AP1000 design control document to the NRC by May 31, 2004.

My staff has identified two areas where the AP1000 design certification schedule may be improved. They are the FDA issuance date and the design certification rule issuance date. Assuming that the open item and final DCD milestones are met as described above, the FDA can be issued concurrent with the FSER. Our schedule has been modified to reflect this change.

With regard to the issuance of the final design certification rule, the NRC staff believes that it may be possible to complete this milestone earlier than the scheduled date of December 2005. Based on the experience of the three previous design certifications, a schedule improvement of up to five months can be achieved. This assumes that Westinghouse submits the final AP1000 DCD on or before May 31, 2004. Of course, this date is also dependent upon the extent of any post FSER design changes requiring NRC staff review, any additional regulatory requirements codified prior to the completion of design certification rulemaking, the duration of any hearings, and other review priorities which are not controlled by the AP1000 project team. When the FSER is issued, I will include in my transmittal letter the final schedule for the remainder of the design certification process.

Finally, I would like to offer Westinghouse the opportunity to have a management meeting with the responsible NRC managers to discuss the progress of the AP1000 design certification review. This meeting should be scheduled at a mutually agreeable time and location. Please contact one of the following members of the AP1000 project management team to schedule this meeting and if you have any questions or comments concerning the AP1000 design certification schedule: Mr. John Segala (Lead Project Manager) at (301) 415-1858, jps1@nrc.gov; Mr. Joseph Colaccino at (301) 415-2752, jxc1@nrc.gov; or Ms. Joelle Starefos at (301) 415-8488, jls1@nrc.gov.

Sincerely,

/RA/

James E. Lyons, Program Director
New Reactors Section
New, Research and Test Reactors Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket No. 52-006

Enclosure: As stated

cc: See next page

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James E. Lyons, Program Director
New Reactors Section
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cc: See next page

*See previous concurrence

ADAMS ACCESSION NUMBER: ML032680283

OFFICE	PM:RNRP	SC:RNRP*	PD:RNRP
NAME	JColaccino	LDudes	JLyons
DATE	12/ 02 /2003	11/20/2003	12/ 02 /2003

OFFICIAL RECORD COPY

Distribution for AP1000 Schedule Update Letter dated December 2, 2003

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AP1000 Managers

AP1000 DESIGN CERTIFICATION REVIEW
MILESTONES AND TARGET DATES

Milestone	Target Date
NRC issues AP1000 draft safety evaluation report with open items.	June 16, 2003*
Westinghouse must provide responses to all open items, and the NRC staff must determine that these responses are acceptable.	March 31, 2004
Westinghouse submits the final AP1000 design control document.	May 31, 2004
NRC/Westinghouse meet with ACRS concerning Final safety evaluation report (FSER)	July 2004
NRC Issues FSER	September 13, 2004**
NRC Issues Final Design Approval	September 13, 2004**
Final Design Certification Rule Issued	December 2005***

*Actual date

** Date is based on Westinghouse meeting specified milestones.

***Date may be shortened by up to 5 months if the May 31, 2004, schedule milestone is met (note that date is also dependent upon extent of any design changes necessitating NRC staff review, additional regulatory requirements, duration of hearings, etc.).

AP 1000

cc:

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