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Mr. T. R. Quay
U.S. Nuclear Regulatory Commission
Chief, Emergency Preparedness & Plant Support Branch
Division of Inspection Program Management
Office of Nuclear Reactor Regulation
Washington, D.C. 20555

Your ref: Nonconformance No. 99900404/03-01
Our ref: APD/NRC0005

February 6, 2004

SUBJECT: Closure of NRC Notice of Nonconformance 99900404/03-01
(Status of Contributor Quality Control) and AP1000 Open Item 17.3.2-2

- References:**
1. DCP/NRC1653, "Reply to a Notice of Nonconformance from Docket No. 99900404, Report No. 03-01," December 3, 2003
 2. DCP/DCP0622, "Transmittal of AP1000 Operating Procedures, Revision 10," November 17, 2003
 3. DCP/NRC1666, "Status of Contributor Quality Control NRC Notice of Nonconformance Docket No. 99900404/03-01," January 9, 2004
 4. NRC Letter dated January 13, 2004 from T. R. Quay to W. E. Cummins regarding NRC Inspection Report 99900404/03-01

The following provides resolution of NRC Nonconformance Docket No. 99900404, Report No. 03-01. It supplements and closes all actions identified in Reference 1. As detailed below, all actions required for resolution of the Nonconformance are complete. This letter also closes AP1000 Open Item 17.3.2-2.

1. Westinghouse issued a revision to its AP1000 Level 3 procedure AP-7.1, "Supplier Evaluation, Audit and Approval." The procedure now requires that any independent contributor of safety-related design information to the AP1000 program must be included on the Westinghouse Quality Suppliers List (QSL) in accordance with the Westinghouse Level 2 procedure WEC-6.3, "Supplier Qualification and Evaluation" (Reference 2).

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2. Westinghouse reviewed all input received from contributors to determine which input was used to support safety-related design information. Six contributors have provided safety-related information to support the AP1000 DCD submittal. Two of the contributors (Initec Technologia and Polestar Applied Technology) are approved Westinghouse suppliers (i.e., already on the Westinghouse QSL). Quality audits were performed for the four remaining contributors (Ansaldo Nucleare, Chicago Bridge & Iron (CBI), Fortum Nuclear Services, and Obayashi Corporation).

All audits are complete, all findings have been resolved to the satisfaction of Westinghouse Quality Assurance, and the contributors are now Qualified Suppliers and have been placed on the Westinghouse QSL.

A Quality Assurance folder is being maintained for each non-Westinghouse AP1000 Program contributor. The folder contains the contributor's quality assurance qualification information. The folder is used to establish and maintain objective evidence that the AP1000 Project contributors are satisfying the applicable requirements of 10CFR50, Appendix B and the applicable design certification provisions of 10CFR52.

3. This Nonconformance is in our Corrective Action Program (CAP) as Issue 03-321-M004.01 and is now closed. In accordance with our internal procedures, any supplier findings are also tracked in our CAP.

This letter supercedes our last status report on this subject (Reference 3). This letter is also in response to Reference 4 and can be used as a reference to close AP1000 Open Item 17.3.2-2.

If you have any questions on this reply and the final resolution of this nonconformance, please do not hesitate to call me at 412-374-6211 or Mr. J.W. Winters at 412-374-5290.

Very truly yours,



W. E. Cummins, Director
AP600 & AP1000 Projects

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