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Subject: **Summary of ESBWR Preapplication Meeting – October 12 and 13, 2004**

GE would like to thank the NRC Staff, who participated in the meetings on October 12 and 13, 2004, for all of their comments and constructive feedback. A number of topics were covered over the course of the two days and these are listed at the end of this letter.

GE indicated at the end of the meeting that we would be following up on each of the topics. Issues raised on some topics will require additional significant discussion with the Staff. Based on the input provided by the Staff during the meetings, GE believes no further action is required on some topics. For these topics a summary of the resolution is provided below and further discussion is not needed on the following issues.

Item 3 Regulatory Treatment of Non-Safety Systems (RTNSS)

GE will follow the guidance provided by SECY 95-132. A list of Structures, Systems and Components (SSCs) that are determined to provide a significant defense in depth protection for Design Basis Events and beyond will be included in the Design Certification Application.

Item 5 Rad Waste Building Seismic Design Criteria

The design criteria for the ESBWR Rad Waste Building will be in conformance with the applicable regulatory guidance. GE understands that the burden of

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satisfying NRC reviewer concerns relative to limiting the seismic design to those portions of the rad waste system that are most hazardous may be significant. As a part of the design process, GE will assess whether significant savings can be achieved.

Item 6 Hydrogen Control

The ESBWR, at the present time, intends to utilize a nitrogen inerted containment. Based on the recently revised Flammability Control rule (10 CFR 50.44), GE will not include any other measures for control of hydrogen flammability.

Item 9 Nuclear Safety Operational Analyses (NSOA)

The next time GE and the Staff meet to discuss ESBWR application issues, GE will provide more information on the related areas of event classification, acceptance criteria, and perhaps some preliminary figures. GE may request a conference call with the NRC prior to the next meeting to begin discussions in this area.

Item 10 Emergency Procedure Guidelines (EPGs)

The ESBWR design certification submittal package will include a discussion on the Emergency Procedure and Severe Accident Guidelines. This discussion will be based on the most recent version of the BWROG EPG/SAG and will identify areas of significant differences requiring subsequent changes to address ESBWR design features.

Item 11 Applicable requirements for Technical Support Center (TSC)

The TSC for the ESBWR will conform to the regulatory guidance provided in NUREG-0737, Supplement 1. The normal HVAC systems for the TSC will provide radiological protection to the occupants from airborne radioactive material and gases. This HVAC system will not be safety-related. However, it will be provided with connections to the on-site AC power sources (non-safety) so that it can be operated in the event of a loss of offsite power.

Item 14 Safeguards Information in DCD

At the time of the initial submittal of the Design Control Document (DCD), no information that might be considered to be significant to protecting the safety of the plant from nefarious attack will be included. Detailed Safeguards Information will be submitted separately to the Staff for review and approval. Once the Safeguards material has been agreed to, GE will prepare a non-Safeguards version of the material to be included in the DCD. This will be treated as Safeguards Information until both parties agree that it can be included in the final DCD.

The 17 topics discussed during the meetings are presented below.

1. PRA Form and Content for Submittal
2. Severe Accidents
3. Regulatory Treatment of Non-Safety Systems (RTNSS)
4. 72-hour requirements for IC and PCC Pools
5. Rad Waste Building Seismic Design Requirements
6. Hydrogen Control
7. Containment Isolation for IC and PCC Systems
8. GDC 38
9. Nuclear Safety Operational Analyses (NSOA)
10. Emergency Procedure Guidelines (EPG) revision
11. Applicable requirements for Technical Support Center (TSC)
12. Site Parameters
13. Tier 2 Table of Contents and Requirements
14. Safeguards Information in DCD
15. Level of Detail (P&IDs, GAs, Logic Diagrams)
16. Design Acceptance Criteria (DAC)
17. Exemption Requests

GE will be submitting additional material and requesting further discussion to achieve an acceptable resolution of any issues on the other topics. GE plans to document these resolutions in additional letters in January and February 2005. GE understands that these resolutions are not binding upon the Staff. However, GE requests feedback if the Staff believes the GE stated resolution is not acceptable.

Again, GE appreciates the opportunity to resolve these issues in advance of the Design Certification application with the recognition that there are significant benefits to both GE and the Staff in enhancing the Staff's review of the DCD once it is submitted.

If you should have any questions or comments please feel free to contact Alan Beard at James1.Beard@ge.com or (301) 208-1460, or myself.

Sincerely,

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