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UNITED STATES
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NOTE TO COMMISSIONERS' ASSISTANTS

OCM/DEK

- cc Paul Dickman
- cc Rick Croteau
- ___ Roger Davis
- X Mohammed Shuaibi
- X Bill Orders
- ___ Nancy Fragoyannis
- ___ Pat Castleman
- ___ Julie Olivier
- ___ Clare Kasputys
- ___ Robert McOsker
- ___ Vicki Bolling
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OCM/PBL

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- ___ Cathy Marco
- X Doug Coe
- ___ Steve Baggett
- ___ Vicki Ibarra
- ___ Laurette Moorin

FROM:

William M. Dean
Assistant for Operations, OEDO

SUBJECT:

QUARTERLY ON-GOING MULTINATIONAL DESIGN APPROVAL PROGRAM (MDAP) DEVELOPMENTS

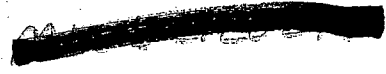
In Staff Requirements for SECY-06-0029, "Planned Approach for the Development of a Multinational Design Approval Program (MDAP)," the Commission requested that the staff keep the Commission involved in any policy decisions and informed of on-going MDAP developments on a quarterly basis via a note to the Commissioners' Assistants. This note provides the first such quarterly report and has been coordinated with OIP and OGC. Enclosed is the subject report for your information.

Enclosure: As stated

- cc: L. Reyes, EDO (w/o enclosure)
- M. Virgilio, DEDMRS (w/o enclosure)
- W. Kane, DEDR (w/o enclosure)
- J. Silber, DEDIA (w/o enclosure)
- W. Dean, AO (w/enclosure)
- T. Bergman, OEDO (w/o enclosure)
- J. Lamb, OEDO (w/enclosure)
- L. Burkhart, NRR (w/o enclosure)
- J. Dyer, NRR (w/o enclosure)

- SECY (w/enclosure)
- OGC (w/enclosure)
- OCA (w/o enclosure)
- OPA (w/o enclosure)
- OIP (w/o enclosure)
- OIS (w/o enclosure)
- CFO (w/o enclosure)
- EDO R/F (w/enclosure)
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To date, no additional policy issues have been identified. Legal issues associated with the MDAP were provided to the Commission by OGC June 2, 2006. On-going MDAP developments are discussed below.

MDAP Stage 1

In accordance the Commission's September 8, 2005 SRM, the NRC staff initiated the start of Stage 1 of the Multinational Design Approval Program (MDAP) by meeting with counterparts in Finland (STUK) and France (ASN) in late January and early February 2006. The main objectives of the meetings were to obtain insights regarding the Finnish and French licensing processes as applied to the Evolutionary Power Reactor (EPR) including schedules and outputs, obtain preliminary information regarding the breadth and depth of French and Finnish regulatory design reviews of the EPR, provide an overview of the MDAP and the U.S. licensing process to the French and Finnish regulators, and to discuss logistical issues relative to the implementation of Stage 1 of the MDAP. NRC's counterparts have also expressed interest in personnel exchanges to facilitate EPR cooperation. The NRC and regulators from STUK and ASN signed bilateral non-binding memoranda of cooperation for MDAP Stage 1, expressing their intentions to cooperate on the review of the EPR design in accordance with already-established bilateral agreements.

In response to an invitation from the Director General of ASN, the NRC sent two representatives to participate as members of the standing committee of French and German experts reviewing the EPR. During the meeting, held July 4 - 7, 2006, the French technical agency (IRSN) presented 10 specific recommendations for design conditions to be imposed on the EPR for the Flamanville site. The technical discussions that followed demonstrated the active debate over the recommendations and underlying technical issues and will serve to inform the NRC's review of the EPR design.

To continue implementation of MDAP Stage 1, representatives from NRC's Office of International Programs (OIP) and NRR will attend a trilateral meeting September 4 - 12, 2006, with STUK and ASN to start technical information exchanges on the EPR design. The tentative list of topics to be discussed include: radiation protection and radiological consequences of accidents; transient and accident analysis (methodologies, comparison of DBC/DEC list, fuel handling accidents); I&C design; electrical system design; and construction issues.

OIP has obtained the preliminary safety evaluation report (PSAR) and probabilistic risk assessment (PRA) evaluations from STUK and has forwarded those to NRR. OIP has also requested other specific documents from STUK and ASN that address the topics mentioned in the paragraph above and related to AREVA pre-application submittals.

MDAP Stage 2

Stage 2 of the MDAP involves work toward international convergence of codes, standards, and safety goals, building a framework for multinational design review and approval of Generation IV reactor designs that facilitates sharing of regulatory review products, encourages standardization and enhances safety and regulatory efficiency and effectiveness.

On June 19-20, 2006, staff from NRR and OIP attended the first MDAP Stage 2 meeting at the NEA's office in Paris. Other countries represented at this meeting included France, UK, Canada, China, Japan, Finland, Korea, South Africa and Russia. During this meeting, consensus was reached regarding the initial scope and focus of the project, including the selection of pilot technical areas. Two pilot topics were selected to begin work. The first topic, which is broad in nature, would include defining the licensing basis, scope of regulatory design review, and safety goals associated with new reactors. This topic would be assigned to the steering committee to begin work. The second topic, which is narrower in focus, would include issues associated with the international supply of reactor components, including the regulatory oversight of vendors and vendor quality assurance requirements. It is anticipated that an expert level working group will be formed to address this topic.

The NEA has developed draft Terms of Reference which will serve as the project charter and has provided these to each participating agency for comment. We expect to receive the Final Terms of Reference from NEA by the end of July and will provide those to the Commission via a JDL-gram once received. In parallel they will be forwarded to DOS and DOE. A Stage 2 SECY paper will be provided which will include the final Terms of Reference and OGC's legal analysis on Stage 2. NEA has tentatively scheduled an MDAP signing ceremony for September 22, 2006, in Paris.