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MFN 08-086, Supplement 55

Docket No. 52-010

July 9, 2008

U.S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, D.C. 20555-0001

Subject: **Response to Portion of NRC Request for Additional  
Information Letter No. 207 Related to ESBWR Design  
Certification Application ESBWR RAI Numbers 14.3-210 S01**

The purpose of this letter is to submit the GE Hitachi Nuclear Energy (GEH) Response to the U.S. Nuclear Regulatory Commission (NRC) Request for Additional Information (RAI) sent by NRC letter dated May 27, 2008 (Reference 1).

Enclosure 1 contains the GEH response to RAI Number 14.3-210 S01.

If you have any questions or require additional information, please contact me.

Sincerely,

Richard E. Kingston  
Vice President, ESBWR Licensing

D068  
NRO

Reference:

1. MFN 08-497, Letter from U.S. Nuclear Regulatory Commission to Robert E. Brown, GEH, *Request For Additional Information Letter No. 207 Related To ESBWR Design Certification Application*, dated May 27, 2008.

Enclosure:

1. Response to Portion of NRC Request for Additional Information Letter No. 207 Related to ESBWR Design Certification Application DCD Tier 1 RAI Numbers 14.3-210 S01

cc: AE Cabbage USNRC (with enclosure)  
GB Stramback GEH/San Jose (with enclosure)  
RE Brown GEH/Wilmington (with enclosure)  
DH Hinds GEH/Wilmington (with enclosure)  
eDRF 0000-0087-9141 (RAI) 14.3-210S01

**MFN 08-086 Supplement 55**

**Enclosure 1**

**Response to Portion of NRC Request for  
Additional Information Letter No. 207  
Related to ESBWR Design Certification Application**

**General**

**RAI Number 14.3-210, Supplement 1**

**NRC RAI 14.3-210, SUPPLEMENT 1**

*NRC Summary:*

*Provide schedule for DAC closure*

*NRC Full Text:*

*In response to RAI 14.3-210, GEH disagreed with the staff's request to add a COL information item to the DCD. During a May 21, 2008 telecon between GEH and the staff, GEH's response to RAI 14.3-210 was discussed. The staff reiterated that because DAC closure could be performed in several design phases, schedule information for closure is necessary for the staff to be able to appropriately schedule its activities related to DAC closure. This COL information item will ensure that every COL applicant referencing the ESBWR DCD provides the NRC with a schedule for DAC closure, even if the initial response to the COL information item is to make a commitment to provide such a schedule at a time when information is mature enough to be able to make reasonable schedule commitments. As such, the staff requests that GEH include a COL information item in the DCD for the COL applicants/holders to provide a schedule for DAC closure.*

*In addition, the staff and GEH discussed comments associated with an appendix to Tier 2, Section 14.3 included in the response to RAI 14.3-210. The staff requests GEH to incorporate those verbal comments.*

**GEH RESPONSE**

In Section 14.3, Appendix A, of Tier 2, Revision 5, GEH included a COL Information Item to address the NRC staff's concerns in this RAI. The changes were consistent with the May 21, 2008, discussion. In addition, the specific comments associated with the appendix were addressed in Revision 5 changes to new Section 14.3A, which was added in Revision 5.

Tier 2, Section 14.3, Appendix A, was modified to address this RAI in Revision 5 of the Design Control Document submitted by GEH letter MFN-08-487, June 1, 2008. The pertinent content related to the COL Information Item is quoted below:

**14.3A.1 DESIGN ACCEPTANCE CRITERIA ITAAC CLOSURE OPTIONS**

Each COL Applicant will provide a Design Acceptance Criteria ITAAC closure schedule in the COL application and identify whether the standard approach will be used (COL 14.3A-1-A). This schedule may simply be an indication that the Design Acceptance Criteria ITAAC completion for the first standard plant will be used.

#### **14.3A.5 COL INFORMATION**

##### ***14.3A-1-1 Establish a Schedule for Design Acceptance Criteria ITAAC Closure***

Each COL Applicant will provide a Design Acceptance Criteria ITAAC closure schedule in the COL application and identify whether the standard approach will be used (Subsection 14.3A.1).

#### **DCD Impact**

No DCD changes will be made in response to this RAI.