

September 3, 2009

Ms. Sandra M. Sloan
Manager of Regulatory Affairs
New Plants Deployment
AREVA NP Inc.
3315 Old Forest Road
Lynchburg, VA 24506-0935

SUBJECT: EPR DESIGN CERTIFICATION APPLICATION - SAFETY
EVALUATION REPORT WITH OPEN ITEMS FOR CHAPTER 2,
"SITE CHARACTERISTICS"

Dear Ms. Sloan:

By letter dated December 11, 2007, as supplemented by letters dated February 7, 2008, and February 20, 2008, AREVA NP Inc. (AREVA), submitted an application to the U.S. Nuclear Regulatory Commission (NRC) for standard design certification (DC) of the U.S. EPR, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants." Subsequent to the original application, AREVA has submitted Revision 1 of the U.S. EPR Final Safety Analysis Report (FSAR) by letter dated May 29, 2009 (Agencywide Documents Access and Management System [ADAMS] ML091670376). Revision 1 of the FSAR includes changes associated with responses to NRC Requests for Additional Information (RAIs) submitted through April 2009.

Based on our review of the application, the staff prepared the enclosed Safety Evaluation Report (SER), ADAMS ML090710201, with Open Items for Chapter 2, "Site Characteristics." Unless otherwise stated in the SER with Open Items, the staff's review was based on Revision 0 of the application and AREVA's responses to RAIs. The SER with Open Items is being provided to support the upcoming meeting of the subcommittee of the Advisory Committee on Reactor Safeguards (ACRS) scheduled to be held in November 2009. The ACRS Full Committee meeting will be held at a later date. Issuance of this SER is an important milestone in the staff's review to determine whether AREVA's application meets the Commission's regulations.

The open items identified in the SER have been previously provided to you as RAIs with the same identifying number. The staff expects you to resolve these open items during the Phase 4 review of your application. As such, the schedule we have established for your application assumes that you will submit technically correct and complete responses to the RAIs prior to the start of the Phase 4 review of Chapter 2 of the FSAR. If you are unable to provide such an answer to any RAI prior to the start of the Phase 4 review, the staff expects you to specify a date for the submission of the requested information so that the staff can assess how your delay in submitting this information will impact the overall review schedule.

The staff concludes that the enclosed SER with Open Items does not contain any information for which exemption from public disclosure has been sought or approved. However, the NRC will withhold the enclosed SER from public disclosure for ten calendar days from the date of this letter to afford you the opportunity to verify the staff's conclusion that the SER contains no such exempt information. If within that time, you do not request that all or portions of the SER be withheld from public disclosure in accordance with 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," the enclosure will be made available for public inspection through the NRC's Public Document Room and the Publicly Available Records component of the NRC's ADAMS. ADAMS is accessible from the Public Electronic Reading Room section of the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions or comments concerning this matter, I can be reached at 301-415-3361 or via e-mail address at getachew.tesfaye@nrc.gov.

Sincerely,

/RA/

Getachew Tesfaye, Sr. Project Manager
EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-020

Enclosure:
As stated

cc: See next page

The staff concludes that the enclosed SER with Open Items does not contain any information for which exemption from public disclosure has been sought or approved. However, the NRC will withhold the enclosed SER from public disclosure for ten working days from the date of this letter to afford the opportunity to verify the staff's conclusion that the SER contains no such exempt information. If within that time, you do not request that all or portions of the SER be withheld from public disclosure in accordance with 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," the enclosure will be made available for public inspection through the NRC's Public Document Room and the Publicly Available Records component of the NRC's ADAMS. ADAMS is accessible from the Public Electronic Reading Room section of the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions or comments concerning this matter, I can be reached at 301-415-3361 or via e-mail address at getachew.tesfaye@nrc.gov.

Sincerely,

/RA/

Getachew Tesfaye, Sr. Project Manager
EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-020

Enclosure:
As stated

cc: See next page

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ADAMS Accession Numbers:

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LETTER: ML091940247

SER: ML090710201

EDO-002

OFFICE	DNRL/NARP:PM	DNRL/NARP:LA	DNRL/NARP:PM	DSER/RSAC:BC
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(Revised 03/16/2009)

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