

September 3, 2009

MEMORANDUM TO: Edwin M. Hackett, Executive Director
Advisory Committee on Reactor Safeguards
and Advisory Committee on Nuclear Waste

FROM: David B. Matthews, Director */RA Frank Akstulewicz for/*
Division of New Reactor Licensing
Office of New Reactors

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

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 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 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 to allow AREVA the opportunity to verify the staff's conclusion that the SER contains no such exempt information. Therefore, the staff requests that the ACRS withhold the attached information from public disclosure until the information has been released publicly in ADAMS.

Document transmitted herewith contains sensitive unclassified information. When separated from the enclosures, this document is "DECONTROLLED."

The staff will inform the ACRS immediately if AREVA NP, Inc. requests that any of the information in the attached document be withheld from public disclosure.

Should you have any questions, please contact Mr. Jay Patel, the NRC Project Manager at (301) 415-6714, jay.patel@nrc.gov or Mr. Getachew Tesfaye, the Lead Project Manager for the EPR DC application at (301) 415-3361, getachew.tesfaye@nrc.gov.

Docket No. 52-020

Enclosure:
As stated

The staff will inform the ACRS immediately if AREVA NP, Inc. requests that any of the information in the attached document be withheld from public disclosure.

Should you have any questions, please contact Mr. Jay Patel, the NRC Project Manager at (301) 415-6714, jay.patel@nrc.gov or Mr. Getachew Tesfaye, the Lead Project Manager for the EPR DC application at (301) 415-3361, getachew.tesfaye@nrc.gov.

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PKG: ML091950191
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