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10 CFR 50.4
10 CFR 52.79

July 29, 2009

UN#09-325

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: UniStar Nuclear Energy, NRC Docket No. 52-016
Response to Request for Additional Information for the
Calvert Cliffs Nuclear Power Plant, Unit 3,
RAI No. 120, Quality Assurance Program Description

Reference: John Rycyna (NRC) to Robert Poche (UniStar), "RAI No 120 CQVP 2262.doc"
email dated June 29, 2009

The purpose of this letter is to respond to the request for additional information (RAI) identified in the NRC e-mail correspondence to UniStar Nuclear Energy, dated June 29, 2009 (Reference). This RAI addresses Quality Assurance Program Description (QAPD), as discussed in Section 17.5 of the Final Safety Analysis Report (FSAR), as submitted in Part 2 of the Calvert Cliffs Nuclear Power Plant (CCNPP) Unit 3 Combined License Application (COLA), Revision 5.

The enclosure provides our response to RAI No. 120, Questions 17.5-3, 17.5-4 and 17.5-5, does not include any new regulatory commitments and does not impact COLA content.

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If there are any questions regarding this transmittal, please contact me at (410) 470-4205, or Mr. Michael J. Yox at (410) 495-2436.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 29, 2009

A handwritten signature in black ink, appearing to read 'Greg Gibson', with a long horizontal flourish extending to the right.

Greg Gibson

Enclosure: Response to NRC Request for Additional Information RAI No. 120, Questions 17.5-3, 17.5-4 and 17.5-5, Quality Assurance Program Description, Calvert Cliffs Nuclear Power Plant, Unit 3

cc: John Rycyna, NRC Project Manager, U.S. EPR COL Application
Laura Quinn, NRC Environmental Project Manager, U.S. EPR COL Application
Getachew Tesfaye, NRC Project Manager, U.S. EPR DC Application (w/o enclosure)
Loren Plisco, Deputy Regional Administrator, NRC Region II (w/o enclosure)
Silas Kennedy, U.S. NRC Resident Inspector, CCNPP, Units 1 and 2
U.S. NRC Region I Office

GTG/SFW/kat

Enclosure

**Response to NRC Request for Additional Information RAI No. 120,
Questions 17.5-3, 17.5-4 and 17.5-5, Quality Assurance Program Description,
Calvert Cliffs Nuclear Power Plant, Unit 3**

RAI No. 120

Question 17.5-3

Revision 1 to UniStar Topical Report No. UN-TR-06-001-A, Section D, "Procurement Document Control," proposed to add the following:

Additionally 10 CFR 50.55 "Conditions of construction permits, early site permits, combined licenses, and manufacturing licenses, " paragraph (e) is imposed on suppliers of QA Level 1 materials and services until approval of the operating license by the NRC in accordance with 10 CFR 52.103(g), "Operation under a combined license."

The NRC staff notes that not all of the requirements in 50.55(e) are applicable to suppliers of basic components. Section D already correctly invokes 10 CFR Part 21 "during siting, design, fabrication, construction, and testing for QA Level 1 procurement or dedication of items and services including the dedication of items or services used to satisfy the requirements of 10 CFR 50, Appendix B." Please explain why the addition of 50.55(e) requirements is necessary or delete the statement.

Response

Section D, Procurement Document Control, of the Quality Assurance Program Description (QAPD), UniStar Topical Report No. UN-TR-06-001-A, will be revised to remove the redundant requirement that suppliers of basic components adhere to 10 CFR 50.55(e) in addition to 10 CFR Part 21.

Question 17.5-4

UniStar Nuclear Topical Report No. UN-TR-06-001-A, Revision 1, "Quality Assurance Program Description," describes how the quality assurance requirements of Appendix B to 10 CFR Part 50 will be implemented. The regulatory guides identified below provide methods acceptable to the staff for describing in the QAPD how the subject requirements of Appendix B to 10 CFR Part 50 will be met. UN-R-06-001-A should commit to these regulatory guides or provide justification of any proposed alternatives. Exceptions to methods described by these regulatory positions should be explicitly addressed in UN-TR-06-001-A with justification with detail sufficient for the staff to evaluate compliance with the requirements of Appendix B to 10 CFR Part 50. Further, UN-TR-06-001-A should be revised to clarify that changes to regulatory commitments described in the QAPD or incorporated by reference are subject to the change process defined by 10 CFR 50.54(a).

a. RG 1.8, Rev. 3, May 2000, "Qualification and Training of Personnel for Nuclear Power Plants"

This regulatory guide provides guidance acceptable to the NRC staff for complying with the personnel training and qualification requirements of 10 CFR Part 50, Section 50.120f. RG 1.8, Rev. 3 finds ANSI/ANS-3.1-1993 subject to the Regulatory Position established in Section C to provide an acceptable method for meeting requirements for training and qualification of nuclear power plant personnel. Section C exceptions include conditions applicable to personnel performing activities within the scope of the quality assurance program described in NEI 06-14A.

b. RG 1.28, Rev. 3, August 1985, "Quality Assurance Program Requirements (Design and Construction)"

This regulatory guide describes a method acceptable to the NRC staff for complying with the provisions of Appendix B to 10 CFR Part 50 with regard to establishing and implementing the requisite quality assurance program for the design and construction of nuclear power plants. RG 1.28, Rev. 3 finds NQA-1-1983 subject to the Regulatory Position established in Section C to provide an acceptable method for use in implementing the requirements of Appendix B to 10 CFR Part 50 during the design and construction phase.

c. RG 1.33, Rev. 2, February 1978, "Quality Assurance Program Requirements (Operations)"

This regulatory guide describes a method acceptable to the NRC staff for complying with the provisions of Appendix B with regard to overall quality assurance program requirements for the operation of nuclear power plants. RG 1.33 finds ANSI N18.7-1976/ANS 3.2 to provide an acceptable basis for overall quality assurance compliance with Appendix B to 10 CFR Part 50 subject to the Regulatory Position established in Section C

Response

UniStar Nuclear Topical Report No. UN-TR-06-001-A, "Quality Assurance Program Description" will be revised to commit to adhering to Regulatory Guides 1.8, 1.28 and 1.33. UniStar Nuclear Energy will implement and comply with the Regulatory Guides in accordance with NQA-1-1994.

Question 17.5-5

The use of the term "Guidance" in Section 17.5, "Quality Assurance Program Guidance" of the CCNPP Unit 3 FSAR is misleading as provisions described therein are requirements not guidance. Please insert the term "Requirements" in lieu of "Guidance" to identify Section 17.5 of the CCNPP Unit 3 FSAR. A similar request will be forwarded to AREVA to make a conforming revision to Section 17.5 of the U.S. EPR FSAR.

Response

The current heading of CCNPP Unit 3 FSAR COLA Section 17.5 (Quality Assurance Program Guidance) in Part 2 of the CCNPP Unit 3 COLA is consistent with Section C.I.17.5 of Regulatory Guide 1.206. The title of Section 17.5 of the CCNPP Unit 3 FSAR will be revised upon revision of Regulatory Guide 1.206.

COLA Impact

The COLA FSAR will not be revised as a result of this response.