

September 28, 2009

MEMORANDUM TO: Joseph Colaccino, Chief
EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

FROM: Jason Jennings, Project Manager
EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

SUBJECT: SUMMARY OF JULY 29, 2009, PUBLIC MEETING WITH THE
U.S. EPR DESIGN CENTER WORKING GROUP

On July 29, 2009, the U.S. Nuclear Regulatory Commission (NRC) held a public meeting at its Auditorium, NRC Two White Flint North, 11545 Rockville Pike, Rockville, MD, with representatives of the U.S. EPR Design Center Working Group (DCWG).

The purpose of the meeting was to discuss cross-cutting issues related to the U.S. EPR Design Center. The meeting agenda is provided as the enclosure.

This meeting summary is available through the Agencywide Documents Access and Management System (ADAMS) Accession Number ML092300486. The presentation materials distributed at the meeting are contained in ADAMS ML092151075. Documents in ADAMS are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. If you do not have access to ADAMS or have problems accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) staff at 1-800-397-4209, 301-415-4737, or pdr@nrc.gov.

The meeting was a Category 2 public meeting, during which members of the public were invited to provide comment at specific times identified in the agenda. The meeting lasted from 8:30 a.m. to 11:50 a.m. A summary of the subjects covered and respective findings is provided in the following sections.

NRO Management Perspective

The Deputy Director of the Division of New Reactor Licensing, Frank Akstulewicz; the Director of the Division of Safety Systems & Risk Assessment, Charles Ader; and the Deputy Director of the Division of Engineering, Laura Dudes; of the Office of New Reactors (NRO) spoke on the licensing process with regard to the current schedule.

In particular, they expressed their commitment to participate in the U.S. EPR Design Center Working Group (DCWG) meetings to address, at an early stage, issues that may affect the licensing process. Members of the DCWG were encouraged to use that management-level forum in addition to ongoing interactions at the staff level. UniStar confirmed that this type of interaction is considered helpful.

Frank Akstulewicz pointed out that realistic scheduling, including the interrelations of the reference combined license application (RCOLA) and the subsequent COLAs (SCOLAs), is superior to schedules that are frequently revised. Frequent rescheduling decreases efficiency of the overall licensing process as it also affects the coordination of NRC staff resources. The DCWG is, therefore, generally asked to coordinate and maintain a schedule that takes into account all COLAs.

Use of Regulatory Guide (RG) 1.97 "Criteria for Accident Monitoring Instrumentation for Nuclear Power Plants"

The DCWG requested that they have a phone call regarding conformance with Revision 4 to Regulatory Guide (RG) 1.97 in COL applications. Specifically, following the guidance in RG 1.97 would necessitate the development of emergency operating procedures, which will not be available until after the license is issued. The staff took an action to discuss this issue internally and put it on the agenda for the next U.S. EPR DCWG meeting.

Technical Specification Setpoint Control Program

Pursuant to the action taken at the previous DCWG meeting, the staff presented the Agency's position regarding the need for a combined license (COL) applicant to invoke the change process such as a departure or an exemption to implement a setpoint control program in lieu of Condition C of U.S. EPR Generic Technical Specification (TS) 3.3.1. Revision 1 of the U.S. EPR Generic TS (FSAR Tier 2, Chapter 16) contains a reviewer's note that is captured as a COL information item. This is intended to provide COL applicants the option of revising Condition C to implement a setpoint control program without invoking a change process for a certified reactor design. The staff confirmed that the presence of the reviewer's note and the COL information item alone would not permit the COL applicant to implement a change to a certified generic TS without the use of an appropriate change process. The staff further stated that the change process for generic TS and other operational programs for the currently certified designs such as AP1000 is an exemption request. The staff acknowledged that, since U.S. EPR is not yet a certified design, the appendix to Title 10 of the *Code of Federal Regulations* 10 CFR) Part 52 that would contain the change process for U.S. EPR does not exist. The staff took action to further investigate the matter internally.

Use of High Density Polyethylene Piping in U.S. EPR ASME Class 3 Applications

UniStar plans to use High Density Polyethylene (HDPE) Piping for sections of the safety related essential service water (ESW) system and some non-safety-related systems of the U.S. EPR nuclear power plants that are planned to be built at Calvert Cliffs, Bell Bend, Nine Mile Point, and Callaway Stations. UniStar plans to submit a Topical Report (TR) on this issue following the guidance provided in Code Case N-755. Each of their U.S. EPR COLAs is intended to reference that TR.

NRC staff pointed out that the Code Case N-755, which would allow use of HDPE pipe, is currently under revision. Furthermore, Code Case N-755 has not yet been approved by the NRC as a sufficient qualification methodology. Discussions on the adequacy of Code Case N-755 are ongoing within NRC.

Review of the TR, which UniStar expects to submit within 10-12 weeks, will have to be coordinated with the existing schedules for the RCOLA and SCOLAs. The staff asked UniStar for a detailed list of all systems that are intended for use of HDPE pipe with a view of how this will constitute a departure from the submitted design as laid down in the U.S. EPR Final Safety Analysis Report (FSAR). Areva stated that this matter will be handled as site-specific and will not affect the U.S. EPR FSAR.

RAI Response Acceptability

The staff presented its plan for informing each applicant in the DCWG the status of each question asked by the staff. The staff handed out a sample RAI report page and explanation of the status indicators. The staff currently provides this report to each applicant periodically. The staff informed the DCWG that it plans to post the RAI report in the NRC's public website in the near future.

Subsequent COL Endorsement of Reference COL RAI Responses

Regarding the DCWG development of SCOL endorsement of RCOL RAI responses, UniStar reported that the "catch-up letters" for the SCOLs would shortly be ready for issuance. At issue is still the periodicity of the update of the running list of standard question endorsements. NRC took an action to evaluate how the other design centers have been addressing this issue.

COL Issuance and Related Processes

UniStar requested additional information about COL issuance and related processes in areas of rulemaking, hearing schedule, and COL issuance (final phases and steps required after Phase 6). The staff will put this on the agenda for the next DCWG meeting.

Vendor Inspection

As the NRC plans for vendor inspections of U.S. EPR components, the DCWG was asked for information pertaining to the supply chain that would facilitate efficient planning and scheduling of inspections. NRC requested that the DCWG assist in setting up a protocol for this information exchange.

As the item was added to the agenda, UniStar was not prepared to respond to this solicitation at this meeting. The DCWG agreed to discuss this matter internally and present their view at the next DCWG meeting.

Closing & Actions

The meeting concluded with agreeing on the following actions to be taken:

- 1) NRC will investigate how the current COL applicants that are referencing a U.S. EPR can request an exemption from a regulation that is not yet in place to implement a setpoint control program.
- 2) UniStar will provide detailed information on where it intends to use HDPE pipe. A list of systems affected by the use of HDPE shall indicate where its use constitutes a departure from the U.S. EPR design certification application.
- 3) UniStar will organize a pre-submittal meeting with NRC staff on the HDPE piping TR.
- 4) UniStar will set up a telephone conference with the staff of the Division of Construction Inspection and Operational Programs (DCIP) to discuss the NRC's request for a protocol to sharing information that facilitates an efficient program of vendor inspections.
- 5) NRC will evaluate how often the other design centers are updating the running list of standard question endorsements of RCOL RAI responses.
- 6) NRC will address at what point of time during a COLA the design will be considered frozen. This item will be on the next meeting's agenda.
- 7) NRC will organize a phone call with the DCWG on the applicability of RG 1.97, Rev. 4, to the staff's review of the post accident monitoring system, and include the topic on the next EPR DCWG agenda.
- 8) NRC will discuss planning durations for rulemaking, hearings, and COL issuance at the next EPR DCWG meeting.
- 9) UniStar will assess any schedule impact to the COL reviews in the U.S. EPR design center as a result of Nuclear Energy Institute (NEI) TR reviews.

The next meeting is planned for October 8, 2009.

Members of the public were in attendance. The attendee list is provided. No public feedback forms were received. Please direct any inquires concerning this meeting to Jason Jennings at 301-415-3297 or Jason.Jennings@nrc.gov.

Sincerely,

/RA/

Jason Jennings, Project Manager
U.S. EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-020

Enclosures:
Meeting Agenda and Attendee List

cc: U.S. EPR DCWG Mailing List

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Sincerely,

/RA/

Jason Jennings, Project Manager
U.S. EPR Projects Branch
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Docket No.: 52-020

Enclosures:
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cc: U.S. EPR DCWG Mailing List

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OFFICE	DNRL/NARP	DNRL/NARP: LA:	DNRL/NARP:PM	DRNL/NARP:PM	DNRL/NARP:BC:
NAME	FJansen w/comments	JMcLellan	JJennings	GTesfaye	JColaccino
DATE	08/19/09	08/26/09	08/26/09	09/3/09	09/28/09

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AGENDA

U.S. EPR DESIGN CENTER WORKING GROUP PUBLIC MEETING

Wednesday July 29, 2009
8:30 a.m. - 4:00 p.m.

8:30 a.m. – 8:45 a.m.	Introductions	Led By
8:45 a.m. – 9:30 a.m.	NRO Management Perspective	NRC
9:30 a.m. – 10:00 a.m.	RG 1.97 Instrumentation Requirements (Applicability Prior To Fuel Load/ Level of Detail for Approval)	DCWG
10:00 a.m. – 10:15 a.m.	Break*	
10:15 a.m. – 10:45 a.m.	Technical Specification Setpoint Control	NRC
10:45 a.m. – 11:30 a.m.	Use of High Density Polyethylene Piping in U.S. EPR ASME Class 3 Applications	DCWG
11:30 a.m. – 12:30 p.m.	Lunch*	
12:30 p.m. – 1:00 p.m.	RAI Response Acceptability	DCWG
1:00 p.m. – 1:45 p.m.	Subsequent COL endorsement of reference COL RAI responses	DCWG
1:45 p.m. – 2:00 p.m.	Break*	
2:00 p.m. – 2:45 p.m.	COL Issuance and Related Processes	DCWG
2:45 p.m. – 3:45 p.m.	Schedule/ Audit Look Ahead	NRC/DCWG
3:45 p.m. – 4:00 p.m.	Closing Remarks*	NRC

All times listed are approximate and for planning purposes only. Adjustments may be made during the meeting as necessary.

**Opportunity for public comment.*



Public Meeting - U.S. EPR Design Center Working Group (DCWG)
 07/29/2009
 NRC Headquarters Office, Rockville, MD

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Public Meeting - U.S. EPR Design Center Working Group (DCWG)
 07/29/2009
 NRC Headquarters Office, Rockville, MD

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(Revised 04/01/2009)

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