

September 9, 2009

Mr. Richard Wittmeier
Senior Vice President, Nuclear Quality
GE Hitachi Nuclear Energy
PO Box 780, M/C A-10
Wilmington, NC 28402

SUBJECT: GE HITACHI NUCLEAR ENERGY RESPONSE TO U.S. NUCLEAR
REGULATORY COMMISSION (NRC) INSPECTION REPORT 05200010/2008-
201, NOTICE OF VIOLATION

Dear Mr. Wittmeier:

Thank you for your April 23, 2009; May 15, 2009; June 5, 2009; and July 17, 2009; letters in response to the Notice of Violation (NOV) that was discussed in the subject U.S. Nuclear Regulatory Commission (NRC) Inspection Report. We have reviewed your letters and found that your replies to the violations identified in NOV 05200010/2008-201-01, NOV 05200010/2008-201-02, NOV 05200010/2008-201-03, NOV 05200010/2008-201-05, and NOV 05200010/2008-201-06 are responsive to our concerns. We have no further questions or comments regarding these five violations at this time; however, we may review the implementation of your corrective actions during a future NRC staff inspection to determine that full compliance has been achieved and will be maintained.

Regarding the documentation and disposition of identified errors associated with Level 1 software error codes, your July 17, 2009, response to NOV 05200010/2008-201-04 states, in part, that the use of an Engineering Computer Program assigned a Level 1 classification requires (1) 100% independent verification of the results, and (2) a unique designator to indicate non certified level. Please indicate the appropriate process for the documentation and disposition of software errors when identified using an authorized independent verification method.

Please contact Mr. Daniel Pasquale at (301) 415-2498 or via electronic mail at Daniel.Pasquale@nrc.gov, if you have any questions or need assistance regarding this matter.

Sincerely,

/RA/

John A. Nakoski, Chief
Quality and Vendor Branch 2
Division of Construction Inspection
& Operational Programs
Office of New Reactors

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