



September 4, 2009
NRC:09:090

Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

**Withdrawal of ANP-10281P, "U.S. EPR Digital Protection System Topical Report"
(TAC No. MD 4977)**

- Ref. 1: Letter, Ronnie L. Gardner (AREVA NP Inc.) to Document Control Desk (NRC), "Request for Review and Approval of ANP-10281, 'U.S. EPR Digital Protection System Topical Report'," NRC:07:011, March 27, 2007.
- Ref. 2: Letter, Getachew Tesfaye (NRC) to Ronnie L. Gardner (AREVA NP Inc.), "Acceptance for Review of ANP-10281P, 'Digital Protection System Topical Report' (TAC NO. MD4977)," May 8, 2007.
- Ref. 3: Letter, Getachew Tesfaye (NRC) to Ronnie L. Gardner (AREVA NP Inc.), "Request for Additional Information Regarding ANP-10281P, 'Digital Protection System Topical Report' (TAC NO. MD4977)," June 22, 2007.
- Ref. 4: Letter, Ronnie L. Gardner (AREVA NP Inc.) to Document Control Desk (NRC), "Response to Request for Additional Information Regarding ANP-10281, 'U.S. EPR Digital Protection System Topical Report'," NRC:07:040, August 21, 2007.
- Ref. 5: Letter, Getachew Tesfaye (NRC) to Ronnie L. Gardner (AREVA NP Inc.), "Second Request for Additional Information Regarding ANP-10281P, 'Digital Protection System Topical Report'," (TAC NO. MD4977), October 4, 2007.
- Ref. 6: Letter, Ronnie L. Gardner (AREVA NP Inc.) to Document Control Desk (NRC), "Response to a Second Request for Additional Information Regarding ANP-10281, 'U.S. EPR Digital Protection System Topical Report'," NRC:07:073, December 3, 2007.
- Ref. 7: Letter, Getachew Tesfaye (NRC) to Ronnie L. Gardner (AREVA NP Inc.), "Third Request for Additional Information Regarding ANP-10281P, 'Digital Protection System Topical Report'," March 4, 2009.
- Ref. 8: Letter, Ronnie L. Gardner (AREVA NP Inc.) to Document Control Desk (NRC), "Response to Third Request for Additional Information Regarding ANP-10281, 'U.S. EPR Digital Protection System Topical Report'," NRC:09:033, March 31, 2009.

AREVA NP Inc. (AREVA NP) requested the NRC's review and approval of topical report ANP-10281P, "U.S. EPR Digital Protection System Topical Report," in Reference 1. AREVA NP provided additional information to the NRC regarding this report in References 4, 6, and 8. Based on the information provided by the NRC staff during a meeting between NRC and AREVA NP on January 15, 2009 and subsequent Requests for Additional Information (RAIs),

AREVA NP INC.
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AREVA NP provided additional information in Reference 8. The proposed path forward for this topical report was discussed with the NRC staff in a meeting on August 5, 2009.

In accordance with the discussion in the August 5, 2009 meeting, AREVA NP will reissue the revised report as a technical report rather than a topical report. AREVA NP will incorporate in the technical report changes associated with the responses to RAIs provided to the NRC to date and those associated with outstanding RAI responses.

AREVA NP will also revise the U.S. EPR FSAR to incorporate changes associated with the RAIs and the conversion of the topical report to a technical report. AREVA NP will submit the revised report as a technical report along with the corresponding FSAR changes to NRC by November 24, 2009.

AREVA NP no longer requests the NRC issue a separate safety evaluation report for ANP-10281P. AREVA NP requests that the NRC incorporate review of the technical report into the safety evaluation report for the U.S. EPR FSAR Chapter 7 in a manner consistent with other reports which are incorporated by reference in the U.S. EPR FSAR.

If you have any questions related to this submittal, please contact Ms. Sandra M. Sloan, Regulatory Affairs Manager for New Plants. She may be reached by telephone at 434-832-2369 or by e-mail at sandra.sloan@areva.com.

Sincerely,


Ronnie L. Gardner, Manager
Corporate Regulatory Affairs
AREVA NP Inc.

cc: G. Tesfaye
Docket No. 52-020