

September 15, 2009

Mr. Robert Sisk, Manager
Licensing and Customer Interface
Regulatory Affairs and Standardization
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230-0355

SUBJECT: SAFETY EVALUATION REPORT WITH OPEN ITEMS FOR
CHAPTER 13, NOT INCLUDING SECTION 13.6, TITLED “CONDUCT OF
OPERATIONS,” OF NUREG-1793, SUPPLEMENT 2 – AP1000 DESIGN
CERTIFICATION AMENDMENT

Dear Mr. Sisk:

This letter transmits the Safety Evaluation Report with Open Items (SER/OIs) for Chapter 13, not including Section 13.6, titled, “Conduct of Operations,” of the United States Nuclear Regulatory Commission (NRC) staff’s NUREG-1793, Supplement 2.

By letter dated May 26, 2007, as supplemented by letters dated October 26, November 2, and December 12, 2007, January 11 and January 14, 2008, the Westinghouse Electric Company (Westinghouse), submitted an amendment request to the NRC to revise the AP1000 Design Certification (DC) Rule per Title 10 of the *Code of Federal Regulations*, Part 52, Section 52.63, “Finality of Standard Design Certifications.” This DC amendment request supports changes to the current AP1000 DC. The current approved DC is based on Revision 15 to the AP1000 DCD. The DC amendment application was supported by submittal of Revision 16 to the AP1000 DCD. By letter dated January 18, 2008, the NRC notified Westinghouse that Westinghouse’s DC Amendment request had been docketed. By letter dated September 22, 2008, Westinghouse submitted Revision 17 to the AP1000 DCD that contains changes to the DCD proposed in Revision 16, subsequent changes discussed with the NRC staff, and additional changes not previously discussed with the NRC staff referred herein as “Revision 17 changes.” Please note that the enclosed Chapter 13, without Section 13.6, of the SER/OIs addresses the “Revision 17 changes.”

Pursuant to 10 CFR 2.390, we have determined that the enclosed SER/OIs may contain proprietary information or other categories of information that should be withheld from public disclosure. We will delay placing this document in the public document room for a period of 30 days from the date of this letter to provide you with the opportunity to comment on information in the enclosed SER/OIs that should be withheld from public disclosure. If you believe that any information in the enclosure should be withheld from public disclosure, please identify such information line by line and define the basis

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R. Sisk

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pursuant to the criteria of 10 CFR 2.390. Based on your response, both a publically available, non-sensitive and a non-publically available, sensitive versions will be created. In addition, within 30 days of receipt of this letter, please provide a schedule for response to any Open Items described in the enclosed SER/OIs.

Please note that the letter and the attached enclosure taken-together are proprietary. When the letter is detached from the enclosure, the letter becomes non-proprietary.

Please feel free to contact Perry Buckberg, the Project Manager for Chapter 13, at (301) 415-1383 or perry.buckberg@nrc.gov, with any comments, concerns or questions.

Sincerely,

/RA/

Eileen M. McKenna, Chief
AP1000 Projects Branch 2
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-006

Enclosure:

Safety Evaluation Report with Open Items, Chapter 13, without
Section 13.6, NUREG-1793, Supplement 2 (Proprietary Information)

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DC Westinghouse - AP1000 Mailing List
cc:

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Mr. Glenn H. Archinoff
AECL Technologies
481 North Frederick Avenue
Suite 405
Gaithersburg, MD 20877

Mr. Tom Sliva
Vice President
New Plants Project Management
AREVA, NP, Inc. 3315
Old Forest Road
P.O. Box 10935
Lynchburg, VA 24506-0935

Ms. Michele Boyd
Legislative Director
Energy Program
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Ed Wallace
General Manager - Projects
PBMR Pty LTD
P. O. Box 9396
Centurion 0046
Republic of South Africa

Mr. Barton Z. Cowan, Esquire
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, PA 15219
Agency

Mr. Gary Wright, Director
Division of Nuclear Facility Safety
Illinois Emergency Management
1035 Outer Park Drive
Springfield, IL 62704

Mr. Jay M. Gutierrez
Morgan, Lewis & Bockius, LLP
111 Pennsylvania Avenue, NW
Washington, DC 20004

Ms. Sophie Gutner
P.O. Box 4646
Glen Allen, VA 23058

Mr. Ronald Kinney
South Carolina DHEC
2600 Bull Street
Columbia, SC 29201

Dr. Regis A. Matzie
Senior Vice President and
Chief Technology Officer
Westinghouse Electric Company
20 International Drive
Windsor, CT 06095

DC Westinghouse - AP1000 Mailing List

Email

alsterdis@tva.gov (Andrea Sterdis)
amonroe@scana.com (Amy Monroe)
Antonio_Fernandez@FPL.com (Antonio Fernandez)
APAGLIA@Scana.com (Al Paglia)
APH@NEI.org (Adrian Heymer)
awc@nei.org (Anne W. Cottingham)
bob.brown@ge.com (Robert E. Brown)
BrinkmCB@westinghouse.com (Charles Brinkman)
Carellmd@westinghouse.com (Mario D. Carelli)
cberger@energetics.com (Carl Berger)
chris.maslak@ge.com (Chris Maslak)
crpierce@southernco.com (C.R. Pierce)
CumminWE@Westinghouse.com (Edward W. Cummins)
cwaltman@roe.com (C. Waltman)
david.hinds@ge.com (David Hinds)
david.lewis@pillsburylaw.com (David Lewis)
dlochbaum@UCSUSA.org (David Lochbaum)
doug.ellis@shawgrp.com (Doug Ellis)
eddie.grant@excelservices.com (Eddie Grant)
erg-xl@cox.net (Eddie R. Grant)
garry.miller@pgnmail.com (Garry D. Miller)
gcesare@enercon.com (Guy Cesare)
George.Madden@fpl.com (George Madden)
greshaja@westinghouse.com (James Gresham)
gwcurtis2@tva.gov (G. W. Curtis)
gzinke@entergy.com (George Alan Zinke)
ian.c.rickard@us.westinghouse.com (Ian C. Richard)
james.beard@gene.ge.com (James Beard)
jgutierrez@morganlewis.com (Jay M. Gutierrez)
jim.riccio@wdc.greenpeace.org (James Riccio)
jim@ncwarn.org (Jim Warren)
JJNesrsta@cpsenergy.com (James J. Nesrsta)
John.O'Neill@pillsburylaw.com (John O'Neill)
Joseph_Hegner@dom.com (Joseph Hegner)
junichi_uchiyama@mnes-us.com (Junichi Uchiyama)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
lchandler@morganlewis.com (Lawrence J. Chandler)
lindg1da@westinghouse.com (Don Lindgren)
Marc.Brooks@dhs.gov (Marc Brooks)
maria.webb@pillsburylaw.com (Maria Webb)
marilyn.kray@exeloncorp.com
mark.beaumont@wsms.com (Mark Beaumont)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)

DC Westinghouse - AP1000 Mailing List

maurerbf@westinghouse.com (Brad Mauer)
media@nei.org (Scott Peterson)
Mitch_Ross@fpl.com (Mitch Ross)
MSF@nei.org (Marvin Fertel)
mwetterhahn@winston.com (M. Wetterhahn)
nirsnet@nirs.org (Michael Mariotte)
patriciaL.campbell@ge.com (Patricia L. Campbell)
paul.gaukler@pillsburylaw.com (Paul Gaukler)
Paul.Jacobs@fpl.com (Paul Jacobs)
Paul@beyondnuclear.org (Paul Gunter)
pshastings@duke-energy.com (Peter Hastings)
Raymond.Burski@fpl.com (Raymond Burski)
rclary@scana.com (Ronald Clary)
rgrumbir@gmail.com (Richard Grumbir)
Richard.Orthen@fpl.com (Richard Orthen)
RJB@NEI.org (Russell Bell)
RKTemple@cpsenergy.com (R.K. Temple)
robert.kitchen@pgnmail.com (Robert H. Kitchen)
roberta.swain@ge.com (Roberta Swain)
Russell.Wells@Areva.com (Russell Wells)
sabinski@suddenlink.net (Steve A. Bennett)
sandra.sloan@areva.com (Sandra Sloan)
sfrantz@morganlewis.com (Stephen P. Frantz)
sisk1rb@westinghouse.com (Rob Sisk)
Steve.Franzone@fpl.com (Steve Franzone)
steven.hucik@ge.com (Steven Hucik)
Tansel.Selekler@nuclear.energy.gov (Tansel Selekler)
tdurkin@energetics.com (Tim Durkin)
tom.miller@hq.doe.gov (Tom Miller)
tomccall@southernco.com (Tom McCallum)
TomClements329@cs.com (Tom Clements)
trsmith@winston.com (Tyson Smith)
Vanessa.quinn@dhs.gov (Vanessa Quinn)
VictorB@bv.com (Bill Victor)
vijukrp@westinghouse.com (Ronald P. Vijuk)
Wanda.K.Marshall@dom.com (Wanda K. Marshall)
wayne.marquino@ge.com (Wayne Marquino)
whorin@winston.com (W. Horin)
William_Maher@fpl.com (William Maher)
sroetger@psc.state.ga.us