

November 23, 2009

Mr. Mark McBurnett, Vice President  
Regulatory Affairs  
South Texas Project Nuclear Operating Company  
P.O. Box 289  
Wadsworth, TX 77483

SUBJECT: DOCKETING OF THE ADVANCED BOILING WATER REACTOR DESIGN  
CERTIFICATION AMENDMENT APPLICATION AND ASSOCIATED FEDERAL  
REGISTER NOTICE

Dear Mr. McBurnett:

By letter dated June 30, 2009, STP Nuclear Operating Company (STPNOC) tendered an application to the U.S. Nuclear Regulatory Commission (NRC) to amend the U. S. Advanced Boiling Water Reactor (ABWR) design certification rule (DCR) to address the requirements in *Title 10 Code of Federal Regulations* (CFR) 50.150, the Commission's new aircraft impact rule.

This letter is to inform STPNOC that the NRC staff has completed its acceptance review and has determined that this revision to the ABWR can be docketed. Please ensure that future correspondence regarding this amendment includes the ABWR docket number, 52-001.

The NRC staff has commenced its technical review to support the issuance of the safety evaluation report (SER) and the environmental assessment (EA) to support rulemaking. This phase of the project includes a technical audit, if necessary, and issuance and resolution of requests for additional information (RAIs).

Enclosure 1 is a copy of the project milestone and target dates. In addition, a copy of the notice to the application that will be forwarded to the Office of the Federal Register is also attached.

If you have any questions or comments concerning this matter, you may contact Tom Tai, the lead project manager for the DCR amendment application, at (301) 415-8484 or [Tom.Tai@nrc.gov](mailto:Tom.Tai@nrc.gov).

Sincerely,

/RA - F. Akstulewicz for/

David B. Matthews, Director  
Division of New Reactor Licensing  
Office of New Reactors

Docket No. 52-001

Enclosures:  
As stated

### **ABWR DCR AMENDMENT APPLICATION REVIEW SCHEDULE**

The staff has developed a schedule, shown in the following table, for the U. S. Advanced Boiling Water Reactor (ABWR) design certification rule amendment review, including milestones up to issuance of the safety evaluation report (SER). It is the staff's expectation that all technical issues will be resolved during the review and the SER will be complete with no open items. The staff will then develop a detailed schedule for issuance of SER and completion of the design certification amendment rulemaking. It is estimated that DCR amendment rulemaking will take about 15 months following the completion of the SER.

### **ABWR DCR AMENDMENT PROJECT MILESTONES AND TARGET DATES**

<b>Milestone</b>	<b>Target Date</b>
STPNOC submitted ABWR DCR Amendment Application	June 30, 2009
U. S. Nuclear Regulatory Commission (NRC) issued an acceptance letter and request for Supplemental ER	September 9, 2009
STPNOC submitted a schedule commitment to provide Supplemental ER	September 16, 2009
STPNOC submitted supplemental environmental report	November 10, 2009
NRC Issue SER	April, 2010
NRC publish proposed environmental assessment	June, 2010
Estimated completion date to complete rulemaking	August, 2011

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Enclosures:

As stated

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NRO-002

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DATE	10/5/09	10/7/09	11/23/09	11/19/09	11/23/09

**\*Approval captured electronically in the electronic RAI system.**

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(Revised 10/29/2009)

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