

November 5, 2009

Mr. Jerald G. Head  
Senior Vice President, Regulatory Affairs  
GE Hitachi Nuclear Energy  
3901 Castle Hayne Road MC A-18  
Wilmington, NC 28401

SUBJECT: ECONOMIC SIMPLIFIED BOILING-WATER REACTOR DESIGN  
CERTIFICATION SCHEDULE REVISION

Dear Mr. Head:

The staff has updated its schedule for the Economic Simplified Boiling-Water Reactor (ESBWR) design certification (DC) review including issuance of the final safety evaluation report (FSER) and the DC rulemaking. The enclosed schedule is based on current information regarding the number and scope of remaining open items and the schedule for GE Hitachi Nuclear Energy (GEH) request for additional information (RAI) responses. Staff issuance of the FSER for the ESBWR DC is now scheduled for January 18, 2011. The DC Rulemaking is scheduled to be completed in September 2011. If GEH does not meet its schedule for deliverables or revises any planned deliverable dates, the staff will evaluate the potential impact and revise the review schedule accordingly.

If required, the staff will notify GEH of any future changes to the ESBWR DC review schedule.

If you have any questions, please contact Jeffrey Cruz at (301) 415-0599 or Amy Cubbage at (301) 415-2875.

Sincerely,

***/RA Jeffrey Cruz for/***

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

Docket No. 52-010

Enclosure: As stated

cc: See next page

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## ESBWR DESIGN CERTIFICATION APPLICATION REVIEW SCHEDULE

The staff has updated its schedule for the Economic Simplified Boiling-Water Reactor (ESBWR) design certification (DC) review including issuance of the final safety evaluation report (FSER) and the DC rulemaking. This schedule is based on current information regarding the number and scope of remaining open items and the schedule for GE Hitachi Nuclear Energy (GEH) request for additional information (RAI) responses. Staff issuance of the FSER for the ESBWR DC is now scheduled for January 18, 2011. The DC Rulemaking is scheduled to be completed in September 2011.

Of the total 4549 RAIs that have been issued to date, 110 RAIs remain open. The staff acknowledges the August 31, 2009, submittal of GEH's design control document (DCD) revision 6 as a major milestone, the improved turnaround time for RAI response submittal, and the commitment by GEH to maintain open lines of communications at all levels of management in order to preclude schedule conflicts. To that end, even with significant progress on this project, the review schedule continues to depend on GEH's ability to address these remaining open items in accordance with the schedule for responses established in GEH correspondence to date and based on GEH's self-prescribed 45-day RAI response commitment<sup>1</sup>. Timely receipt of high-quality information that satisfactorily addresses these issues is crucial to completing the review in accordance with the current schedule.

GEH has committed to submit Revision 7 of the design control document (DCD) on March 31, 2010. In order to support the review schedule, DCD Revision 7 must incorporate all changes associated with the resolution of all open items. If GEH incorporates design changes or DCD text changes not directly related to the resolution of RAIs, this will result in a delay in the established target dates.

### ESBWR PROJECT MILESTONES AND TARGET DATES

<b>Milestone</b>	<b>Target Date</b>
NRC issues remaining supplemental RAIs	Complete <sup>2</sup>
GEH respond to all remaining outstanding RAIs	December 15, 2009 <sup>3</sup>
All open items resolved	January 29, 2010

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<sup>1</sup> All RAI responses must be submitted in accordance with established submittal schedule provided in GEH letter MFN 09-558 as supplemented as of August 20, 2009.

<sup>2</sup> The staff is continuing to review DCD Appendix 19A regarding of aircraft impact assessment. The staff is also continuing to review GEH's revised structural analysis of spent fuel racks submitted on October 6, 2009. Additional RAIs may result from these reviews and will be handled on a case by case basis to assess any resultant schedule impacts.

<sup>3</sup> RAI responses will include markups of applicable revisions to LTR and/or DCD pages as required.

Enclosure

GEH submit DCD Revision 7 incorporating revisions associated with all RAI responses (FSER will be based on this DCD revision)	March 31, 2010
NRC forwards advance FSER to ACRS for review (Rulemaking Starts)	July 15, 2010
ACRS Subcommittee meetings on FSER	August and September 2010 <sup>4</sup>
ACRS Full Committee meetings on FSER	October 2010 <sup>4</sup>
FSER Issuance	January 18, 2011
Rulemaking Ends	September 2011

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<sup>4</sup> Specific ACRS meeting dates subject to ACRS availability and scheduling.

DC GE - ESBWR Mailing List

(Revised 10/01/2009)

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