July 7, 2010

Ms. Sandra M. Sloan
Manager of Regulatory Affairs
New Plants Deployment
AREVA NP Inc.
3315 Old Forest Road
Lynchburg, VA 24506-0935

SUBJECT: EPR DESIGN CERTIFICATION APPLICATION - SAFETY EVALUATION REPORT WITH OPEN ITEMS FOR CHAPTER 13, "CONDUCT OF OPERATIONS"

Dear Ms. Sloan:

By letter dated December 11, 2007, as supplemented by letters dated February 7, 2008, and February 20, 2008, AREVA NP Inc., (AREVA) submitted an application to the U.S. Nuclear Regulatory Commission (NRC) for a standard design certification (DC) of the U.S. EPR, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants." Subsequent to the original application, AREVA submitted Revision 1 of the U.S. EPR Final Safety Analysis Report (FSAR) by letter dated May 29, 2009 (Agencywide Documents Access and Management System [ADAMS] ML091670376). Revision 1 of the FSAR includes changes associated with responses to NRC Requests for Additional Information (RAIs) submitted through April 2009.

Based on our review of the application, the staff prepared the enclosed Safety Evaluation Report (SER), ADAMS ML090780787, with Open Items for Chapter 13, "Conduct of Operations." Unless otherwise stated in the SER with Open Items, the staff's review was based on Revision 0 of the application and AREVA's responses to RAIs. The SER with Open Items is being provided to support the upcoming meeting of the subcommittee of the Advisory Committee on Reactor Safeguards (ACRS). The ACRS Full Committee meeting will be held after the subcommittee meeting. Issuance of this SER is an important milestone in the staff's review to determine whether AREVA's application meets the Commission's regulations.

The open items identified in the SER have been previously provided to you as RAIs with the same identifying number. These open items are expected to be resolved during the Phase 4 review of your application. As such, the schedule we have established for your application assumes technically correct and complete response to the RAIs prior to the start of Phase 4 review of Chapter 13 of the FSAR. If you are unable to provide an answer prior to the start of Phase 4 review, it is expected that a date for receipt of this information will be provided so that the staff can assess how this information will impact the overall review schedule.

Document transmitted herewith contains sensitive unclassified information. When separated from the enclosure, this document is "DECONTROLLED."

The staff concludes that the enclosed SER with Open Items does not contain any information for which exemption from public disclosure has been sought or approved or any factual errors. However, the NRC will withhold the enclosed SER from public disclosure for ten calendar days from the date of this letter to allow you the opportunity to verify the staff's conclusion that the SER contains no such exempt information or any factual errors. If within that time, you do not request that all or portions of the SER be withheld from public disclosure in accordance with 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," the enclosure will be made available for public inspection through the NRC's Public Document Room and the Publicly Available Records component of the NRC's ADAMS. ADAMS is accessible from the Public Electronic Reading Room section of the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

If you have any questions or comments concerning this matter, I can be reached at 301-415-3361 or via e-mail address at getachew.tesfaye@nrc.gov.

Sincerely,

/RA/

Getachew Tesfaye, Sr. Project Manager
EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-020

Enclosure:
As stated

cc: See next page

The staff concludes that the enclosed SER with Open Items does not contain any information for which exemption from public disclosure has been sought or approved or any factual errors. However, the NRC will withhold the enclosed SER from public disclosure for ten calendar days from the date of this letter to allow you the opportunity to verify the staff's conclusion that the SER contains no such exempt information or any factual errors. If within that time, you do not request that all or portions of the SER be withheld from public disclosure in accordance with 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," the enclosure will be made available for public inspection through the NRC's Public Document Room and the Publicly Available Records component of the NRC's ADAMS. ADAMS is accessible from the Public Electronic Reading Room section of the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

If you have any questions or comments concerning this matter, I can be reached at 301-415-3361 or via e-mail address at getachew.tesfaye@nrc.gov.

Sincerely,
/RA/

Getachew Tesfaye, Sr. Project Manager
EPR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-020
Enclosure:
As stated

cc: See next page

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ADAMS Accession Numbers:
PKG: ML101040561
LETTER: ML101040590
SER: ML090780787

NRO-002

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