

June 21, 2010

Sadler D. "Sandy" Rupprecht
Vice President, Regulatory Affairs and Strategy
Westinghouse Electric Company
Nuclear Power Plants
273A Cranberry Woods Headquarters
1000 Westinghouse Drive
Cranberry Township, PA 16066

SUBJECT: SCHEDULE FOR THE AP1000 DESIGN CERTIFICATION AMENDMENT
REVIEW

Dear Mr. Rupprecht:

The purpose of this letter is to communicate the schedule for the AP1000 Design Certification Amendment (DCA) application review and the U.S. Nuclear Regulatory Commission's (NRC's) expectations.

On October 15, 2009, NRC sent a letter to Westinghouse Electric Company (Westinghouse) in response to the August 31, 2009, Westinghouse shield building design submittal. In its letter, NRC said that it had determined that the proposed design of the shield building would require modifications in some specific areas in order to ensure its ability to perform its safety function under design basis loading conditions and to support a finding that would meet applicable regulations. NRC also said that the impact on the review schedule for the DCA review would be established after discussion with Westinghouse about its plans to address NRC's determination.

In response to the NRC's October 15, 2009 letter, Westinghouse submitted a report titled, "Design Report for the AP1000 Enhanced Shield Building, Revision 2" on May 7, 2010. This report included detailed design analyses, the benchmarking analysis, and some test results. With the receipt and preliminary evaluation of Revision 2, and discussions with Westinghouse regarding schedule, the NRC has a better understanding of how Westinghouse plans to address NRC's concerns and is now able to establish the review schedule for the balance of the AP1000 design review.

The NRC has established an aggressive goal of completing the AP1000 design certification rulemaking by the end of fiscal year 2011 to support the needs of the Vogtle and Summer combined license (COL) applications and their associated construction plans. Completion of the rulemaking by the end of September 2011 will not be easy. A number of technical issues remain on the application and it will require substantial commitment of resources and the attention of senior management by both Westinghouse and the COL applicants to drive technical issues to closure in a time frame that would support the schedule below.

There are several critical milestones that Westinghouse must meet in order to achieve the schedule. First, Westinghouse must establish the complete scope of the DCA with defined closure plans for all known issues by the end of June 2010. Second, Westinghouse must

provide all necessary licensing documentation to support resolution of known technical issues by the end of July, 2010. If these milestones are met, the staff will work aggressively to complete the technical review by the end of August 2010 and will work with the Advisory Committee on Reactor Safeguards (ACRS) so that it will be able to complete its oversight reviews by December 2010. Further, the staff is implementing additional innovative ways to expedite the rulemaking process to achieve the listed milestones.

The following is the schedule that we have established:

Schedule for Completion of the AP1000 Design Certification Amendment Review

Action	Completion Date
NRC finalizes AP1000 DCA review scope and closure strategy for remaining issues	June 30, 2010
NRC receives final Westinghouse DCA submittal	July 30, 2010
NRC technical staff completes Final Safety Evaluation Report (FSER) inputs	August 30, 2010
NRC issues final advanced FSER information issued to the ACRS	October 18, 2010
ACRS holds final subcommittee meeting on AP1000 DCA	November 18, 2010
ACRS holds final full committee meeting on AP1000 DCA	December 2, 2010
NRC receives Westinghouse DCA Revision 18 submittal	Early-December 2010
NRC publishes Federal Register Notice for Proposed Rule	February 2011
Public comment period ends	April 2011
Final Rule	September 2011

There is no margin in this schedule that would permit movement of these critical milestones and still achieve the goal of completing the rulemaking by the end of September 2011. While the staff has increased its attention to meeting the schedule, we will assure that the design meets all applicable NRC regulatory requirements before we proceed to certification rulemaking.

In summary, NRC believes that completion of the AP1000 DCA safety evaluation by the end of calendar year 2010 is aggressive yet achievable with substantial management oversight and commitment from Westinghouse to meet the established milestones with quality submittals that resolve identified technical issues. The staff's review will require Westinghouse management to maintain frequent interactions as recently established. The NRC also expects Westinghouse to maintain a high level of commitment to provide the necessary information to the NRC in accordance with the above schedule. If you have questions regarding these matters, please contact Mr. Frank Akstulewicz at (301) 415-1199.

Sincerely,

/RA/

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

Docket No. 52-0006
cc: See next page

provide all necessary licensing documentation to support resolution of known technical issues by the end of June 2010. Second, Westinghouse must provide all necessary licensing documentation to support resolution of known technical issues by the end of July, 2010. If these milestones are met, the staff will work aggressively to complete the technical review by the end of August 2010 and will work with the Advisory Committee on Reactor Safeguards (ACRS) so that it will be able to complete its oversight reviews by December 2010. Further, the staff is implementing additional innovative ways to expedite the rulemaking process to achieve the listed milestones.

The following is the schedule that we have established:

Schedule for Completion of the AP1000 Design Certification Amendment Review

Action	Completion Date
NRC finalizes AP1000 DCA review scope and closure strategy for remaining issues	June 30, 2010
NRC receives final Westinghouse DCA submittal	July 30, 2010
NRC technical staff completes Final Safety Evaluation Report (FSER) inputs	August 30, 2010
NRC issues final advanced FSER information issued to the ACRS	October 18, 2010
ACRS holds final subcommittee meeting on AP1000 DCA	November 18, 2010
ACRS holds final full committee meeting on AP1000 DCA	December 2, 2010
NRC receives Westinghouse DCA Revision 18 submittal	Early-December 2010
NRC publishes Federal Register Notice for Proposed Rule	February 2011
Public comment period ends	April 2011
Final Rule	September 2011

There is no margin in this schedule that would permit movement of these critical milestones and still achieve the goal of completing the rulemaking by the end of September 2011. While the staff has increased its attention to meeting the schedule, we will assure that the design meets all applicable NRC regulatory requirements before we proceed to certification rulemaking.

In summary, NRC believes that completion of the AP1000 DCA safety evaluation by the end of calendar year 2010 is aggressive yet achievable with substantial management oversight and commitment from Westinghouse to meet the established milestones with quality submittals that resolve identified technical issues. The staff's review will require Westinghouse management to maintain frequent interactions as recently established. The NRC also expects Westinghouse to maintain a high level of commitment to provide the necessary information to the NRC in accordance with the above schedule. If you have questions regarding these matters, please contact Mr. Frank Akstulewicz at (301) 415-1199.

Sincerely,

/RA/

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

Docket No. 52-0006

cc: See next page

DISTRIBUTION:

PUBLIC F Akstulewicz, NRO LDudes, NRO RidsNroLARButler
 NGWE2 R/F B Gleaves, NRO BThomas, NRO RidsNroDnrINmip
 DMatthews, NRO E.Mckenna, NRO RidsOgcMailCenter RidsAcrsAcnwMailCenter

ADAMS Accession No.: ML101680069

NRO-002

OFFICE	DNRL/TA	DNRL/NWE2: BC	NRO/DE:DD	NRO/DNRL: D	NRO/OD
NAME	ASnyder	E McKenna/JCruz for	LDudes	DMatthews	MJohnson
DATE	06/17/2010	06/ 17 /2010	06/ 17/2010	06/21/2010	06/ 17 /2010

OFFICIAL RECORD COPY

DC Westinghouse - AP1000 Mailing List
cc:

(Revised 05/04/2010)

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

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

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

Mr. Jay M. Gutierrez
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

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

Ms. Sharon Bowyer Hudson
Office of Regulatory Staff
State of South Carolina
1401 Main Street
Suite 900
Columbia, SC 29201

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

Mr. Tom Sliva
7207 IBM Drive
Charlotte, NC 28262

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

DC Westinghouse - AP1000 Mailing List

Email

agaughtm@southernco.com (Amy Aughtman)
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)
bgattoni@roe.com (William (Bill) Gattoni))
Bill.Jacobs@gdsassociates.com (Bill Jacobs)
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)
Derlinda.Bailey@chguernsey.com (Derinda Bailey)
doug.ellis@shawgrp.com (Doug Ellis)
eddie.grant@excelservices.com (Eddie Grant)
erg-xl@cox.net (Eddie R. Grant)
fbelser@regstaff.sc.gov
gcesare@enercon.com (Guy Cesare)
George.Madden@fpl.com (George Madden)
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)
jerald.head@ge.com (Jerald G. Head)
jfitter@regstaff.sc.gov
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.elnitsky@pgnmail.com (John Elnitsky)
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)
Ichandler@morganlewis.com (Lawrence J. Chandler)
lindg1da@westinghouse.com (Don Lindgren)
Marc.Brooks@dhs.gov (Marc Brooks)

DC Westinghouse - AP1000 Mailing List

maria.webb@pillsburylaw.com (Maria Webb)
marilyn.kray@exeloncorp.com
mark.beaumont@wsms.com (Mark Beaumont)
Mark.Crisp@chguernsey.com (Mark Crisp)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
maurerbf@westinghouse.com (Brad Maurer)
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)
nscjiangguang@sina.com (Jiang Guang)
Nuclaw@mindspring.com (Robert Temple)
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)
robert.kitchen@pgnmail.com (Robert H. Kitchen)
rong-pan@263.net (Pan Rong)
Russell.Wells@Areva.com (Russell Wells)
sabinski@suddenlink.net (Steve A. Bennett)
sandra.sloan@areva.com (Sandra Sloan)
saporito3@gmail.com (Thomas Saporito)
sfrantz@morganlewis.com (Stephen P. Frantz)
shudson@regstaff.sc.gov (Sharon Hudson)
sisk1rb@westinghouse.com (Rob Sisk)
sroetger@psc.state.ga.us (Steve Roetger)
stephan.moen@ge.com (Stephan Moen)
Steve.Franzone@fpl.com (Steve Franzone)
steven.hucik@ge.com (Steven Hucik)
strambgb@westinghouse.com (George Stramback)
Tansel.Selekler@nuclear.energy.gov (Tansel Seleklek)
tdurkin@energetics.com (Tim Durkin)
Timothy.Beville@nuclear.energy.gov (Tim Beville)
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)

DC Westinghouse - AP1000 Mailing List

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)