



**babcock & wilcox nuclear energy**

• 109 ramsey place • lynchburg, va 24501 • phone 434.316.7592  
• fax 434.316.7534 • www.babcock.com

October 4<sup>th</sup>, 2010

BW-JAH-2010-225

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852-2738

Babcock & Wilcox Nuclear Energy, Inc.  
Docket Number-PROJ0776  
Project Number-776

Subject: Babcock & Wilcox Nuclear Energy, Inc. (B&W NE) Response to NRC Request For Additional Information

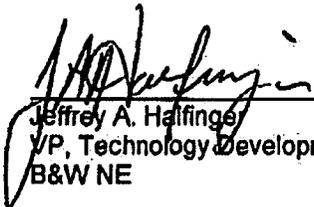
Reference: B&W NE Quality Assurance Program for the Design Certification of the B&W mPower™ Reactor Topical Report (TR) 08-00000320-000, Revision 0

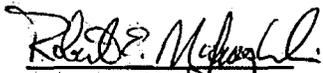
By letter dated March 31, 2010, B&W NE submitted the above referenced Quality Assurance (QA) Topical Report for NRC review. As part of its review process, the NRC issued a Request for Additional Information (RAI) to B&W NE dated August 23, 2010 and supplemented on August 26, 2010. We have reviewed the set of 27 questions included in the RAI and the responses to each are included in the attachment to this letter.

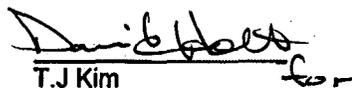
The responses clarify information included in the B&W NE QA Program and where appropriate include revised text and/or tables included in the report based on NRC's questions or comments on our Program. It should be noted that certain proposed changes to the Program discuss or imply reliance upon B&W NE engineering procedures. The development of additional procedures is ongoing and is expected to be completed by the end of January 2011.

It is our plan to submit our Revision 1 of the QA Program to the NRC no later than October 15, 2010 as requested in your letter.

Questions concerning these responses may be directed to Jeff Halfinger at 434-316-7507 (email: [jahalfinger@babcock.com](mailto:jahalfinger@babcock.com)) or T. J. Kim at 434-382-9791 (email: [tjkim@babcock.com](mailto:tjkim@babcock.com)).

  
Jeffrey A. Halfinger  
VP, Technology Development  
B&W NE

  
Robert E. McLaughlin  
Director, Quality Assurance  
B&W NE

  
T.J. Kim  
Licensing Director  
B&W NE

JHA/jlr

Attachment 1 of 1

cc: Joelle L. Starefos, NRC, TWFN 9-F-27  
Stewart L. Magruder, Jr., NRC, TWFN 9-F-27

babcock & wilcox nuclear energy, inc.

Add: J. Starefos  
S.L. Magruder

Q004

MRO

Babcock & Wilcox Nuclear Energy, Inc. Response to  
Requests for Additional Information No. 5002 and 5039 Revision 0

B&W mPower Pre-Application Activities  
Docket No. PROJ 0776  
Topical Report 08-00000320-000

**Question 17.5-1**

*The "application" section of the first 18 sections of the B&W NE Quality Assurance Program (QAP) states that the application section complies to Appendix B to 10 CFR Part 50 and NQA-1-1994. While it is appropriate to state that the application section complies with Appendix B, this compliance is met by committing to NQA-1-1994. In addition, Section 20 of the QAP states that B&W NE commits to Parts 1 and 2 of NQA-1-1994. Please modify the application section of the first 18 section to state that the QAP commits to NQA-1-1994 instead of complies consistent with Section 20.*

**B&W NE Response**

The application sections will be modified to state that the QAP commits to NQA-1-1994. For example, section 1.1 will be revised as follows:

**1.1 Application**

Section 1, "Organization," applies to the design certification project.

This section complies with Criterion I, "Organization," of 10 CFR Part 50, Appendix B, and commits to Basic Requirement 1, "Organization," and Supplement 1S-1, "Supplementary Requirements for Organization," of ASME NQA-1-1994.

**Question 17.5-2**

*Section 1.2 of the B&W NE QAP states that "all interfacing organizations are considered suppliers. Each organization utilized has been evaluated in accordance with QAP requirements and maintained on the B&W NE approved suppliers list (ASL)." Please confirm that the organizations described in sections 1.2.1.8, 1.2.1.9, 1.2.1.10 and 1.2.1.11 are interfacing organizations that are on the B&W NE ASL. Please provide clarification regarding which organization performs the evaluations on these interfacing organizations, especially since the B&W Supply Management Service Center is responsible for procurement.*

**B&W NE Response**

The statement that "All interfacing organizations are considered suppliers." was referring to the design interfaces that were discussed in the sentence immediately preceding it. The organizations in sections 1.2.1.8 and 1.2.1.9 are interfacing companies that are or will be on the B&W NE ASL. These companies are evaluated by the Supplier Quality group of the Quality Assurance organization to assure that they are qualified suppliers. The organizations in sections 1.2.1.10 (B&W Supply Management Service Center) and 1.2.1.11 (Human Resources) are B&W corporate organizations that support B&W NE and work under the B&W NE QAP for design certification project activities. These organizations are not suppliers and are not on the B&W NE ASL.

For clarification, this portion of section 1.2 will be revised to state:

Design interfaces with other B&W affiliated companies and external design organizations are conducted in accordance with procurement document control requirements. All interfacing companies for design are considered suppliers.

**Question 17.5-3**

*Figure 1.3, B&W NE Quality Assurance Organization, is not defined in Section 1 of the B&W NE QAP. Please define the appropriate group functions depicted on Figure 1.3 and explain why NDE is included in the organization since fabrication is not within the scope of the QAP for design certification project as stated in the Scope/Applicability section of the Introduction.*

**B&W NE Response**

A more complete description of the Quality Assurance organization will be provided in section 1 of the B&W NE QAP. In addition, Figure 1.3 will be revised to delete the NDE function since it will not be within the scope of the QAP for the design certification project.

The following descriptions will be added to section 1.2.1.2:

The B&W mPower QA Manager reports to the Director of Quality Assurance and is responsible for developing and maintaining the B&W NE QAP. The B&W mPower QA Manager is also responsible coordinating project quality assurance functions and for monitoring and evaluating project activities for compliance to the QAP and the requirements of the design certification project.

The Supplier Quality organization reports to the Director of Quality Assurance. Supplier Quality is responsible for performing supplier surveys and audits, coordinating source inspections and surveillances, and maintaining an Approved Supplier List.

The Quality Engineering organization reports to the Director of Quality Assurance. Quality Engineering is responsible for training, qualification and certification of audit personnel and the performance of internal audits.

The Quality Records organization reports to the Director of Quality Assurance. The Quality Records function is responsible for storage and retention of quality related records.

In addition, Figure 1.3 will be revised as shown below.

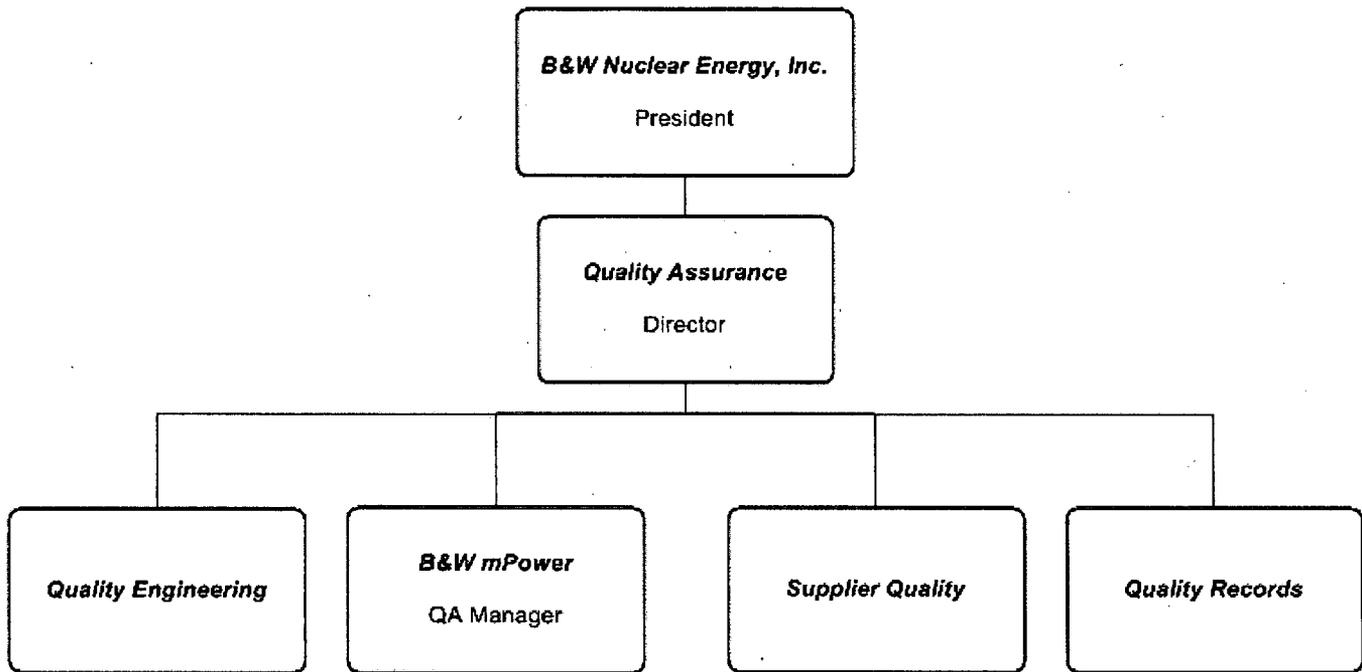


Figure 1.3 B&W NE Quality Assurance Organization

**Question 17.5-4**

*Standard Review Plan (SRP) Section A.4 acceptance criteria states that the QA program requires independence between the organization performing checking functions from the organization responsible for performing the functions as required by Criterion I of Appendix B to 10 CFR Part 50, and 10 CFR 50.34(f)(3)(iii)(A). The staff was unable to identify how the B&W NE QAP met these requirements in Section 1 of the QAP. Please describe how these requirements are met in the QAP.*

**B&W NE Response**

Section 1.2.3 will be added to the QAP to describe the independence between organizations performing checking functions and organizations performing the functions.

**1.2.3 Quality Assurance Organizational Independence**

For the design certification project, independence is maintained between the organization or organizations performing the checking (quality assurance and control) functions and the organizations performing the functions. This provision is not applicable to design review/verification.

**Question 17.5-5**

*SRP 17.5 Section B.2 acceptance criteria states that a list of the SSCs and/or activities under the control of the QA program is required to be established and maintained consistent with 10 CFR 50.34(f)(3)(ii) requirements. Please describe how this requirement is being met for activities covered by the B&W NE QAP for the mPower design certification project.*

**B&W NE Response**

The following will be added immediately after the last paragraph of the Scope/Applicability subsection under the Introduction on page 1 of the B&W NE QAP:

Safety-related SSCs, under the control of the QAP, are identified by design documents. The technical aspects of these items are considered when determining program applicability, including, as appropriate the item's design safety function. The QAP may be applied to certain activities where regulations other than 10 CFR 50 and 10 CFR 52 establish QA requirements for activities within their scope.

The following will be added to the third paragraph of Section 2.2 of the B&W NE QAP:

B&W NE procedures provide requirements and guidelines for establishing the safety classification of SSCs, and for determining the quality group classification, applicable quality standards, and the seismic design classification of SSCs commensurate with their respective safety classification. A list identifying SSCs and activities to which this program applies is maintained for the design certification project.

**Question 17.5-6**

*Section 2.2.3 of the B&W NE QAP states that changes to the QAP are evaluated by the project Quality Assurance Manager. This position is not defined in Section 1 of the B&W NE QAP. Please define this position and its reporting relationship.*

**B&W NE Response**

The project Quality Assurance Manager is the B&W mPower QA Manager (See response to Question 17.5-3 above). Section 2.2.3 will be revised to state that the changes to the QAP are evaluated by the B&W mPower Quality Assurance Manager.

**Question 17.5-7**

*Section 2 of the B&W NE QAP does not discuss delegation of portions or all of the QAP. Please clarify as to whether B&W NE plans to delegate any activity conducted under its QAP and, if so, provide an adequate description of the delegation in Section 2 of the QAP consistent with the requirements in Criterion I of Appendix B to 10 CFR part 50.*

**B&W NE Response**

Some activity conducted under this QAP may be delegated and therefore, a description of the delegation will be added to Section 2 of the QAP. The following will be inserted after the second paragraph in section 2.2:

Individuals performing activities under the B&W NE QAP are required to be trained and subsequently qualified under the program. This includes subcontracted personnel who are working on a seconded or staff augmentation basis.

Delegated responsibilities may also be performed under a supplier's or principal contractor's QAP, provided that the supplier or principle contractor has been approved as a supplier in accordance with the QAP. Periodic audits and assessments of supplier QA programs are performed to assure compliance with the supplier's or principle contractor's QAP and implementing procedures. In addition, routine interfaces with the supplier's personnel provide added assurance that quality expectations are met.

**Question 17.5-8**

*Section 3.2 of the B&W NE QAP defines design inputs as "design bases and the performance, regulatory, quality, and quality verification requirements." This list is not consistent with NQA-1-1994 and does not include codes and standards. Please explain why design inputs are not consistent with NQA-1-1994 and whether codes and standards are considered to be design inputs.*

**B&W NE Response**

Codes and standards are considered to be design inputs by B&W NE. Accordingly, this portion of section 3.2 will be revised to include codes and standards as follows:

These provisions assure that design inputs (such as design bases, performance and regulatory requirements, codes and standards) are correctly translated into design outputs (such as analyses, specifications, drawings, procedures, and instructions) so that the final design output can be related to the design input in sufficient detail to permit verification.

**Question 17.5-9**

*SRP 17.5 Section C.1.q acceptance criteria states that QA personnel are included in the documented review and concurrence in quality-related procedures associated with design consistent with 10 CFR 50.34(f)(3)(iii)(C) requirements. Please describe how this requirement is being met in the B&W NE QAP for the mPower design certification project.*

**B&W NE Response**

The B&W NE QA organization performs an independent review of quality related procedures identified and developed by Engineering. Accordingly, the following text will be added to the last paragraph of Section 2.2 of the QAP to reflect the QA role in development of quality-related procedures.

The development of quality-related procedures that support the mPower design certification project are reviewed and concurred by QA personnel before they are issued for implementation.

**Question 17.5-10**

*Section 3.2.1 of the B&W NE QAP describes the B&W NE design verification process. Consistent with NQA-1-1994, the QAP states that B&W NE normally completes design verification activities before the design outputs are used by other organizations. However, where timing cannot be achieved, there is no commitment to identify and control the unverified portion of the design consistent with NQA-1-1994. Please clarify how unverified design is identified and controlled.*

**B&W NE Response**

ASME NQA-1-1994, Supplement 3S-1, Section 4 states, in part, "In those cases, the unverified portion of the design shall be identified and controlled."

The last paragraph of Section 3.2.1 of the B&W NE QAP will be revised as follows:

B&W NE normally completes design verification activities before the design outputs are used by other organizations for design work, and before they are used to support other activities such as procurement, manufacture, or construction. However, in instances where design verification activities are not complete, any unverified portion of the design is identified and controlled pursuant to procedures. Design verification is completed before relying on the item to perform its intended design or safety function.

**Question 17.5-11**

*Section 4.1 of the B&W NE QAP takes exceptions to NQA-1-1994, Supplement 4S-1. As written, the third paragraph appears to be an exception to Section 3 of 4S-1. However, the staff believes that the third paragraph is part of the exception to Section 2.3 in the first paragraph. Please clarify the purpose of the third paragraph regarding an exception to the provisions of NQA-1-1994, Supplement 4S-1.*

**B&W NE Response**

The third paragraph is part of the exception to Section 2.3 of NQA-1-1994, Supplement 4S-1 as suggested. This paragraph will be relocated as part of the exception to Section 2.3 of Supplement 4S-1.

**Question 17.5-12**

*Section 6.2 of the B&W NE QAP states that the types of documents to be controlled include instructions and procedures for activities covered by the QAP such as construction, installation, operating, maintenance, calibration, and routine testing. These activities do not appear to be within the scope of the mPower design certification project. Please clarify the activities covered by the QAP.*

**B&W NE Response**

Design and calibration activities are covered by this QAP. Accordingly, this portion of Section 6.2 will be revised as follows:

The types of documents to be controlled include:

quality documents – includes instructions and procedures for activities covered by the QAP such as design and calibration; nonconformance reports and corrective action reports

**Question 17.5-13**

*Section 6.2.2 of the B&W NE QAP states that minor change (such as typos) which do not affect the technical scope of documents prepared at the project site and which may be conveniently made by pen and ink correction on the document, shall not require the same review and approval as the original document. Please clarify how this statement is applicable to the design certification project and how these types of changes are controlled and maintained.*

**B&W NE Response**

This statement will not be applicable to the design certification project and this paragraph will be removed from the QAP.

**Question 17.5-14**

*Section 6.2.2 of the B&W NE QAP states that the quality control manager shall be responsible for authorizing the project engineer to make minor changes to inspection and test plans, deviations to inspection and test plans, weld control records and other quality-related project generated documents. These positions are not defined in Section 1 of the QAP and the activities described appear to be outside the scope of the mPower design certification project. Please clarify the applicability of these statements to the design certification project and the QAP.*

**B&W NE Response**

This statement will not be applicable to the design certification project and this paragraph will be removed from the QAP.

**Question 17.5-15**

*Section 7.1 for the B&W NE QAP states that for the design certification project, the scope of procurement includes engineering, design, and testing services. Please clarify the scope of testing services envisioned for the mPower design certification project.*

**B&W NE Response**

The design certification project includes the procurement of critical heat flux testing services from Stern Laboratories and may include the procurement of other testing services for components such as reactor coolant pump testing as part of the design contract. The responsible B&W NE engineering function will review and approve details of the test design, test procedures, and test results prior to final acceptance.

**Question 17.5-16**

*Section 7.1 of the B&W NE QAP describes an exception to NQA-1-1994 Supplement 7S-1 for commercial-grade calibration services. Commercial-grade calibration services appears to be outside the scope of mPower design certification project since testing services will be procured. Please explain why this exception is applicable to the QAP for the mPower design certification project.*

**B&W NE Response**

The design certification project may include the procurement of commercial-grade calibration services for the Integrated System Test Facility (IST) being constructed by B&W NE and the related IST program. Therefore, the inclusion of commercial-grade calibration services is within the scope of the design certification project.

**Question 17.5-17**

*Section 7.2.1 for the B&W NE QAP states that industry programs such as those applied by ASME, Nuclear Procurement Issues Committee (NUPIC), or other established utility groups are used as input or the basis for supplier qualification whenever appropriate. B&W NE is not a member of NUPIC nor an utility and, therefore, would not have access to such documents. Please clarify why these organizations are listed as examples or delete them from the QAP.*

**B&W NE Response**

These organizations will be removed from the QAP. This portion of section 7.2.1 will be revised as follows:

Industry programs, such as those applied by ASME, are used as input or the basis for supplier qualification whenever appropriate.

**Question 17.5-18**

*Section 7.2.2 of the B&W NE QAP states that verification actions include testing, as appropriate, during design, fabrication and construction activities. As stated in the Introduction of the QAP, fabrication and construction activities are not within the scope of the mPower design certification project. Please delete these statements from this section.*

**B&W NE Response**

The reference to fabrication and construction activities will be deleted from the QAP. This first paragraph of section 7.2.2 will be revised as follows:

B&W NE establishes and implements measures to assess the quality of purchased items and services, whether purchased directly or through contractors, at intervals and to a depth consistent with the item's or service's importance to safety, complexity, quantity, and the frequency of procurement. Verification actions include testing, as appropriate, during design activities. Verifications occur at the appropriate phases of the procurement process, including, as necessary, verification of activities of suppliers below the first tier.

**Question 17.5-19**

*Section 7.2.2 of the B&W NE QAP states that provisions are made for accepting purchased items and services, such as source verification, receipt inspection, certificate of conformance (CofC), and document reviews (including certified material test reports/certificate (CMTR)). Please explain why CofCs and CMTRs are within the scope of the QAP for the mPower design certification project or delete them from the QAP.*

**B&W NE Response**

As noted previously, the design certification project includes a B&W NE test program and testing services that are being purchased. Certificates of conformance or material test reports may be received for purchased items or services related to these test programs on the mPower design certification project. This last paragraph of section 7.2.2 will be revised as follows:

Provisions are made for accepting purchased items and services, such as source verification, receipt inspection, certificates of conformance, and document reviews. Acceptance actions/documents are established with appropriate input from the supplier and completed to ensure that procurement, inspection, and test requirements, as applicable, have been satisfied before relying on the item to perform its intended safety function.

**Question 17.5-20**

*Section 7.2.3 of the B&W NE QAP describes B&W NE's activities related to commercial-grade items and services. The staff notes that NQA-1-1994, Supplement 7S-1 is not consistent with the requirements in 10 CFR Part 21. Accordingly, the B&W NE QAP needs to an exception to NQA-1-1994 Supplement 7S-1 by including a commitment to the staff guidance in Generic Letter (GL) 89-02 and GL 91-05.*

**B&W NE Response**

An exception to NQA-1-1994 Supplement 7S-1 will be added to address the requirements of 10 CFR Part 21. This portion of section 7.1 will be revised as follows:

In lieu of the requirements of Section 10, Commercial Grade Items, controls for commercial grade items and services are established in B&W NE documents using 10 CFR 21 and the guidance of EPRI NP-5652 as discussed in Generic Letter 89-02 and Generic Letter 91-05.

- For commercial grade items, special quality verification requirements are established and described in B&W NE documents to provide the necessary assurance an item will perform satisfactorily in service. The B&W NE documents address determining the critical characteristics that ensure an item is suitable for its intended use, technical evaluation of the item, receipt requirements, and quality evaluation of the item.
- B&W NE will also use other appropriate approved regulatory means and controls to support B&W NE commercial grade dedication activities. B&W NE will assume 10 CFR 21 reporting responsibility for all items that B&W NE dedicates as safety-related.

**Question 17.5-21**

*Sections 8, 9, 10, 13, 14, and 15 of the B&W NE QAP state that the scope of the design certification project does not include these sections. However, these sections do not end with that statement but rather go on to describe how B&W NE has established measures to implement these sections to comply with Appendix B to 10 CFR Part 50 requirements. Please clarify.*

**B&W NE Response**

Sections 8, 9, 10, 13, 14, and 15 will be revised to delete the discussion of compliance and implementation for consistency and clarity. For example, section 8 will be revised as follows:

**8. Identification and Control of Materials, Parts, and Components**

**8.1 Application**

The scope of the design certification project does not include the identification and control of material, parts and components; therefore, this element is not applicable to the design certification project.

**Question 17.5-22**

*Section 11.1 of the B&W NE QAP states that test control is applicable to the testing programs associated with design verification of the B&W mPower reactor. Section 7 of the B&W NE QAP stated that testing services are included within the scope of procurement for the design certification project. Please clarify the scope of testing services that will be procured and the role B&W NE will play in testing associated with design verification.*

**B&W NE Response**

In addition to the procurement of test services, B&W NE is performing design verification testing activities within the project organization such as the Integrated Systems Test (IST) and fuel assembly design and performance tests. B&W NE is designing the tests, building the associated facilities and fixtures, preparing the test procedures, preparing the appropriate test predictions, reviewing the test results and applying the results of the tests in the design certification program.

**Question 17.5-23**

*Section 12.1 of the B&W NE QAP states that control of M&TE associated with tests and testing programs utilized for design verification are applicable to the design certification project. Section 7 of the B&W NE QAP states that testing services are included within the scope of procurement for the design certification project. Please clarify the scope of testing services that will be procured and the role played by B&W NE in testing associated with design verification. Also, please clarify which QAP will be used for the control of M&TE.*

**B&W NE Response**

The responses to questions 17.5-15 and 17.5-22 identify design verification testing activities that include both procured services and B&W NE conducted programs. For procured services, the requirements in QAP section 7 relative to the control of measuring and test equipment (M&TE) are imposed via technical specifications as part of the purchase orders for these services. For programs conducted by B&W NE, the requirements of section 12 will be applied.

**Question 17.5-24**

*Section 12.2 of the B&W NE QAP states that customer supplied M&TE may be used provided a copy of the calibration documentation is supplied with the M&TE and the documentation reviewed and approved by B&W NE. Please explain how this statement is applicable to the design certification project.*

**B&W NE Response**

The statement is not applicable to the design certification project and will be removed from section 12.2 of the QAP.

**Question 17.5-25**

*Section 18.2.1 of the B&W NE QAP does not appear to be consistent with the scope of the design certification project nor the regulatory guidance of RG 1.28 to which the B&W NE QAP commits. Specifically, the first two paragraphs of Section 18.2.1 refer to construction phase and operating activities and verification of compliance and effectiveness of implementation of procedures, technical specifications, license conditions, and performance of operating staff. Please revise the first two paragraphs to be consistent with the scope of the design certification project or explain why this information is included in the B&W NE QAP.*

*In addition, Section 18.2.1 states that internal audits of selected aspects ... are performed with a frequency commensurate with safety significance and in a manner which assures that audits of safety-related activities are completed. RG 1.28 Revision 3 requires that the applicable elements of an organization's quality assurance program should be audited at least once each year or at least once during the life of the activity, whichever is shorter. Please explain why the B&W NE QAP is not consistent with the regulatory guidance in RG 1.28, Revision 3.*

**B&W NE Response**

Section 18.2.1 will be revised to be consistent with the scope of the design certification project and RG 1.28 as follows:

**18.2.1 Performance of Audits**

B&W NE is responsible for conducting periodic internal and external audits. Internal audits are conducted to determine the adequacy of programs and procedures (by representative sampling), and to determine if they are meaningful and comply with the overall QAP. External audits determine the adequacy of the supplier or contractor quality assurance program.

Internal audits of B&W NE activities are performed in such a manner as to assure that an audit of all applicable QA program elements is completed at least once each year or at least once during the life of the activity, whichever is shorter.

The audits are scheduled on a formal preplanned audit schedule. The audit system is reviewed periodically and revised as necessary to assure coverage commensurate with current and planned activities. Additional audits may be performed as deemed necessary by management. The scope of the audit is determined by the quality status and safety importance of the activities being performed. These audits are conducted by trained personnel not having direct responsibilities in the area being audited and in accordance with preplanned and approved audit plans or checklists, under the direction of a qualified lead auditor and the cognizance of the Director of Quality Assurance.

The results of each audit are reported in writing to the Director of Quality Assurance, or designee, as appropriate. Additional internal distribution is made to other concerned management levels in accordance with approved procedures.

Management responds to all audit findings and initiates corrective action where indicated. Where corrective action measures are indicated, documented follow-up of applicable areas through inspections, review, re-audits, or other appropriate means is conducted to verify implementation of assigned corrective action.

**Question 17.5-26**

*Section 19 of the B&W NE QAP describes the non-safety related quality controls implemented by B&W NE. The B&W NE QAP states that sections 8, 9, 10, 13, 14, and 15 are not applicable to the design certification project. However, the QAP does not make that distinction in section 19. Please clarify.*

**B&W NE Response**

Section 19 of the B&W NE QAP will be revised clarify that non-safety related quality controls are not applicable to the design certification project for sections 8, 9, 10, 13, 14, and 15. These portions of section 19 will be revised as follows:

**19.1.8 Identification and Control of Purchased Items**

This section is not applicable to the design certification project.

**19.1.9 Control of Special Processes**

This section is not applicable to the design certification project.

**19.1.10 Inspection**

This section is not applicable to the design certification project.

**19.1.13 Handling, Storage, and Shipping**

This section is not applicable to the design certification project.

**19.1.14 Inspection, Test, and Operating Status**

This section is not applicable to the design certification project.

**19.1.15 Control of Nonconforming Items**

This section is not applicable to the design certification project.

**Question 17.5-27**

*Sections 15.2 and 16.2 states that "nonconformances related to safety-related design, analysis or consulting services that are associated with the design certification, or design approval are controlled and reported in accordance with 10 CFR Part 21." Part 21 is a separate process and is not directly related to the quality assurance program. Please explain why this statement is included in the QAPD.*

**B&W NE Response**

The referenced statement was included to discuss the interface between the QAP and the non-QA reporting program. Since the Part 21 program is not directly related to the quality assurance program, the last paragraph will be removed from section 16.2 of the QAP. Section 15.2 was deleted in response to Question 17.5-21.