

November 8, 2010

Mr. Robert Sisk, Manager
Licensing and Customer Interface
Regulatory Affairs and Standardization
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230-0355

SUBJECT: PROPRIETARY INFORMATION REVIEW - ADVANCED FINAL SAFETY EVALUATION FOR SECTIONS 3.7 AND 3.8 TITLED, "SEISMIC DESIGN," AND "DESIGN OF CATEGORY I STRUCTURES," RESPECTIVELY, OF NUREG-1793, SUPPLEMENT 2 AND NON-CONCURRENCE THEREOF – AP1000 DESIGN CERTIFICATION AMENDMENT

Dear Mr. Sisk:

This letter transmits the Advanced Final Safety Evaluation (AFSE) for Sections 3.7 and 3.8, including 3.8.4, titled, "Seismic Design," "Design of Category I Structures," including "Other Seismic Category I Structures," of the U.S. Nuclear Regulatory Commission (NRC) staff's NUREG-1793, "Final Safety Evaluation Related to Certification of the AP1000 Standard Design," Supplement 2. In addition, this letter also transmits a non-concurrence package, made up of an NRC Form 757, and Attachments 1, 2, and 3.

By letter dated October 27, 2010, the staff sent to Westinghouse for proprietary review the AFSE for Chapter 3, which did not include Sections 3.7 and 3.8. The attached partial AFSE, when taken with the AFSE sent on October 27, 2010, represents the complete AFSE for Chapter 3. This chapter will be supplemented prior to finalization due to the need to resolve confirmatory items and to address any additional proposed changes to the DCD, if necessary.

The enclosed documents are being provided to Westinghouse Electric Company for the purpose of reviewing proprietary information pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390 "Public Inspections, Exemptions, Requests for Withholding." The staff concludes that the enclosed AFSE and non-concurrence package do 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 AFSE and non-concurrence package from public disclosure for 10 working days from the date of this letter to allow you the opportunity to verify the staff's conclusion that the documents contain no such exempt information or any factual errors. If within that 10 day period, you do not request that all or portions of the documents be withheld from public

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R. Sisk

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disclosure, the enclosures will be made available for public inspection through the NRC Public Document Room and the Publicly Available Records component of NRC's Agencywide Documents Access and Management System and placed on the NRC's public web page for this application.

Please feel free to contact William (Billy) Gleaves, Senior Project Manager for Sections 3.7 and 3.8, including the AP1000 Shield Building at (301) 415-5848 or bill.gleaves@nrc.gov, with any comments, concerns or questions.

Sincerely,

/RA/

Eileen M. McKenna, Chief
AP1000 Projects Branch 2
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-006

Enclosures:

1. Advanced Final Safety Evaluation, Sections 3.7 and 3.8, of NUREG-1793, Supplement 2
2. Non-Concurrence Package, including NRC Form 757, Attachment 1, and Attachment 2

cc: See next page (w/o enclosures)

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**ADAMS Accession No: ML103060229(Letter), ML102710487 (Package)
ML102870605(SER), ML103020207 (Non-Concurrence)
NRO-002**

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(Revised 06/29/2010)

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