

August 29, 2011

MEMORANDUM TO: Edwin M. Hackett, Executive Director
Advisory Committee on Reactor Safeguards

FROM: David B. Matthews, Director **/RA Frank Akstulewicz for/**
Division of New Reactor Licensing
Office of New Reactors

SUBJECT: UNITED STATES - ADVANCED PRESSURIZED WATER REACTOR
DESIGN CERTIFICATION APPLICATION - ADVANCED SAFETY
EVALUATION WITH NO OPEN ITEMS FOR CHAPTER 13, "CONDUCT
OF OPERATIONS"

By letter dated December 31, 2007, as supplemented by letters dated March 27, 2008, and April 16, 2008, Mitsubishi Heavy Industries, Ltd. (MHI) submitted an application to the U.S. Nuclear Regulatory Commission (NRC) for a standard Design Certification (DC) of the United States - Advanced Pressurized Water Reactor (US-APWR), pursuant to Title 10 of the *Code of Federal Regulations* Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants." Subsequent to the original application, MHI has submitted Revisions 1, 2, and 3 of the US-APWR Design Control Document (DCD) by letters dated August 29, 2008, October 27, 2009, and March 31, 2011, which are available in the Agencywide Documents Access and Management System (ADAMS) under Accession Numbers ML082480524, ML093070198, and ML110980194.

Based on our review of the application, the staff is providing the Advisory Committee on Reactor Safeguards (ACRS) its Advanced Safety Evaluation (ASE), with no Open Items for Chapter 13, "Conduct of Operations" (ML112290270). Unless otherwise stated in the ASE, the staff's review was based on Revision 3 of the application. The ASE is being provided to support a meeting of the subcommittee of the ACRS, which has yet to be determined. The ACRS full committee meeting will be held after the subcommittee meeting.

In accordance with the memorandum to the ACRS dated March 17, 2010 (ML100700612), the staff has reviewed the submitted information against the categories for which the ACRS requested be used to highlight information for review by the committee. The staff's assessment of this chapter is that there are no items that meet the categories for discussion with the Committee.

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The staff concludes that the ASE does not contain any information exempt from public disclosure. However, the NRC will withhold the ASE from public disclosure for ten business days to allow MHI the opportunity to verify the staff's conclusion that the ASE contains no such exempt information. Therefore, the staff requests that the ACRS withhold the ASE from public disclosure until it has been released publicly in ADAMS.

The staff will inform the ACRS immediately if MHI requests that any of the information in the ASE be withheld from public disclosure.

Docket No. 52-021

The staff concludes that the ASE does not contain any information exempt from public disclosure. However, the NRC will withhold the ASE from public disclosure for ten business days to allow MHI the opportunity to verify the staff's conclusion that the ASE contains no such exempt information. Therefore, the staff requests that the ACRS withhold the ASE from public disclosure until it has been released publicly in ADAMS.

The staff will inform the ACRS immediately if MHI requests that any of the information in the ASE be withheld from public disclosure.

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(Revised 08/25/2011)

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