



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 13, 2019

Ms. Camille Zozula, Manager
Infrastructure & Facilities Licensing
Westinghouse Electric Company
1000 Westinghouse Drive
Building 1, Suite 165
Cranberry Township, PA 16066

SUBJECT: ACCEPTANCE FOR REVIEW OF WESTINGHOUSE ELECTRIC COMPANY
LTR-NRC-19-15, "NOTIFICATION OF CHANGES TO WESTINGHOUSE QMS"
(EPID: L-2019-TOP-0014)

Dear Ms. Zozula:

By letter dated April 8, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19098A193), Westinghouse Electric Company (Westinghouse) submitted to U.S. Nuclear Regulatory Commission (NRC) letter LTR-NRC-19-15, "Notification of Changes to Westinghouse QMS [quality management system]." While Westinghouse did not seek NRC review and approval of the changes at the time of submittal, the NRC interprets Title 10 of the *Code of Federal Regulations* (10 CFR) 50.4 as requiring NRC review and approval of all submittals. Westinghouse, as a non-licensee Nuclear Steam Supply System (NSSS) supplier, stated changes were submitted in accordance with 10 CFR 50.4(b)(7)(ii). Westinghouse's justification for the proposed changes referenced the regulatory requirements of 10 CFR 50.54(a)(3). However, the regulatory requirements of 10 CFR 50.4(b)(7)(ii) require NSSS suppliers to submit quality assurance (QA) program changes prior to implementation. The regulatory methodology in 10 CFR 50.54 is only applicable to licensees making a QA program description (QAPD) change if there is no reduction in commitment to a previously accepted QAPD or topical report (TR).

The NRC staff reviewed the letter and requested a teleconference with Westinghouse to discuss this letter. As discussed on the call held between the NRC staff and Westinghouse representatives on May 14, 2019, the NRC staff believes an innovative approach (that will be documented in the NRC staff's safety evaluation (SE)) can be used within the bounds of 10 CFR 50.4 which would allow similar flexibility to a licensee's flexibility to make changes to a previously accepted QAPD provided the change does not reduce the commitments. In the email dated May 18, 2019, Westinghouse confirmed the acceptability of the NRC approach (without this revised approach documented in an NRC SE, the NRC staff would need to provide an SE for each change that Westinghouse submits).

The NRC staff performed an acceptance review and found that the material presented is sufficient to begin our review. We expect to issue our initial request for additional information by June 17, 2019, and issue a draft SE by August 23, 2019. This schedule information takes in consideration the NRC's current review priorities and available technical resources and may be subject to change. If modifications to these dates are deemed necessary, we will provide appropriate updates to this information.

The NRC staff estimates that the review will require approximately 100 staff hours including project management time. The review schedule milestones and estimated review costs were discussed and agreed upon via email between, Camille Zozula, Manager, Infrastructure and Facilities Licensing, Westinghouse, and the NRC staff on May 31, 2019.

Section 170.21 of 10 CFR requires that TRs are subject to fees based on the full cost of the review. You did not request a fee waiver; therefore, the NRC staff hours will be billed accordingly.

If you have questions regarding this matter, please contact Ekaterina Lenning at (301) 415-3151.

Sincerely,

/RA/

Dennis C. Morey, Chief
Licensing Processes Branch
Division of Licensing Projects
Office of Nuclear Reactor Regulation

Docket No. 99902038

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