



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

July 30, 2019

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

**SUBJECT: DRAFT SAFETY EVALUATION FOR 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 the 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 telephone 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 NRC approach (without this revised approach documented in an NRC SE, the NRC staff would need to provide a SE for each change that Westinghouse submits). By letter dated June 13, 2019 (ADAMS Accession No. ML19154A062), the NRC issued the acceptance letter of the LTR-NRC-19-15, "Notification of Changes to Westinghouse QMS," to be reviewed as a TR on generic basis.

**NOTICE: Enclosure transmitted herewith contain Proprietary Information.
When separate from enclosure, this transmittal document is decontrolled.**

Enclosed for Westinghouse review and comment is a copy of the NRC staff's draft SE for the LTR-NRC-19-15, "Notification of Changes to Westinghouse QMS."

Pursuant to 10 CFR 2.390, we believe that the enclosed draft SE may contain proprietary information. If you believe that any information in the enclosure is proprietary, please identify such information line-by-line and define the basis pursuant to the criteria of 10 CFR 2.390. Twenty working days are provided for you to comment on the proprietary aspects and provide any factual errors or clarity concerns contained in the SE. The final SE will be issued after making any necessary changes and a non-proprietary version will be made publicly available. The NRC staff's disposition of your comments on the draft SE will be discussed in the final SE.

To facilitate the NRC staff's review of your comments, please provide a marked-up copy of the draft SE showing proposed changes and provide a summary table of the proposed changes.

If you have any questions, please contact Ekaterina Lenning at 301-415-3151.

Sincerely,

/RA Leslie Perkins for/

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

Docket No. 99902038

Enclosure:
Draft SE (Proprietary)

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LTR-NRC-19-15, "NOTIFICATION OF CHANGES TO WESTINGHOUSE QMS"
(EPID: L-2019-TOP-0014) DATE: JULY 30, 2019

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