



OFFICE OF THE
SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555

RELEASED TO THE PDR

May 25, 1990

6/11/90
date

g
initials

MEMORANDUM FOR: James M. Taylor, Executive Director
for Operations
FROM: Samuel J. Chalk, Secretary
SUBJECT: SECY-90-139 - RESPONSE TO WESTINGHOUSE ELECTRIC
CORPORATION ON DESIGN CERTIFICATION FOR AP600

The Commission (with all Commissioners agreeing) has approved the recommendation to issue the letter of response to Mr. Slember, of Westinghouse Electric Corporation, on Design Certification for AP600, subject to the modifications outlined below:

1. Substitute the following for paragraph two in order to more clearly state NRC's intended review process:

As a result of departures from traditional light water reactor design concepts associated with the passive ALWR design philosophy, the staff is approaching the review of these designs in a cautious and methodical manner in order to identify key issues and to effectively use resources. The Commission has concluded that the ALWR Utility Requirements Document should play a significant role in the determination of the regulatory approach for passive plants. An expeditious review of the ALWR Utility Requirements Document for passive plants will utilize NRC resources efficiently and should provide significant regulatory feedback to the nuclear industry. We recognize, however, that early dialogue with the nuclear vendors regarding their specific passive designs will be an important factor in reaching regulatory decisions. Therefore, the staff will continue interactions with both the Electric Power Research Institute (EPRI) and Westinghouse to facilitate the formulation of regulatory positions for passive designs.

2. Substitute the following for paragraph four:

"The Commission has requested the staff to keep abreast of activities of the individual vendors so that the staff will be prepared to review the safety analysis reports when they are received. Also, the staff will consider the information provided in the AP600 LRB in conducting the review of the ALWR Utility Requirements Document; however, technical and policy decisions will be made in the context of the ALWR Utility Requirements Document

SECY NOTE: TO BE MADE PUBLICLY AVAILABLE IN 10 WORKING DAYS FROM THE DATE
OF THIS SRM.

9006200469 900525
PDR 10CFR
PT9.7 PNU

2F02
1/10

review. With this understanding, staff will also provide you with early comments on the Plant Description report, which you have already submitted. No comment with regard to unresolved policy issues will be provided until these issues are decided in the ALWR Requirements Document review.

"Accordingly, I suggest that you coordinate closely with EPRI to provide input consistent with your proposed design and to receive information relative to technical and policy decisions made. The Commission will consider the need for and importance of formally reviewing the LRB document once major decisions are made in the context of the EPRI document. I am confident that this process, designed to provide generically applicable positions on advanced reactor policy issues, will support Westinghouse's intent to submit the standard safety analysis report in June 1992."

Following revision the letter should be signed and forwarded to Mr. Slember.

The Commission requests that the staff complete review of the EPRI Passive Requirements document before conducting formal reviews of specific designs in order to preclude the situation the NRC currently faces with regard to evolutionary plants where significant technical issues have been addressed and resolved for individual vendor design, using the licensees review bases as the vehicle for reaching an agreement with the vendor, prior to the resolution of those issues in the EPRI requirements document.

Commissioner Remick expressed the view that staff should continue its technical review activities on any matters which are unaffected by technical policy issues awaiting ACRS review and comment or by policy issues awaiting Commission disposition.

Commissioner Roberts noted that he is concerned that the interactions with EPRI may not be moving as expeditiously as they should and that perhaps the incentive is not there for reaching resolution on some issues. He would be interested in hearing from the staff on ways the Commission could streamline the resolution agreement process.

(EDO)

(SECY SUSPENSE: 6/8/90)

cc: Chairman Carr
 Commissioner Roberts
 Commissioner Rogers
 Commissioner Curtiss
 Commissioner Remick
 OGC
 GPA