



NUCLEAR MANAGEMENT AND RESOURCES COUNCIL

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February 23, 1994

Mr. Dennis Crutchfield
Associate Director for Advanced Reactors
and License Renewal
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Crutchfield:

Later this year, it is expected that the first Final Design Approvals (FDAs) will be issued under 10 CFR Part 52. Please find enclosed for your consideration a proposed form for an FDA that the industry believes would appropriately implement the applicable provisions in Part 52. As you will notice, the enclosed draft is patterned after FDAs that have been issued by the NRC staff under 10 CFR Part 50, with modifications to reflect the unique provisions in Part 52.

Please contact me should you have any questions or comments regarding the enclosure.

Sincerely,

Raymond N. Ng
Manager, Technical Division

RNN/RJB/ljw
Enclosure

c: M. Malsch, OGC

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PDR REVGP ERGNUMRC
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DRAFT
2/23/94

[DATE]

DOCKET NO.: _____

SUBJECT: ISSUANCE OF FINAL DESIGN APPROVAL (FDA) FOR
[ALWR]

Dear _____:

The Nuclear Regulatory Commission has issued the enclosed Final Design Approval for [Vendor's] [ALWR] standard design. This approval allows the [ALWR] standard design to be referenced in an application for a construction permit or operating license under 10 CFR Part 50, in an application for a combined license under 10 CFR Part 52, or in an application for a design certification under 10 CFR Part 52.

A copy of the Notice of Issuance of Final Design Approval, which has been sent to the *Federal Register* for publication, is also enclosed for your information.

Sincerely,

Enclosures:
As stated

UNITED STATES NUCLEAR REGULATORY COMMISSION**[VENDOR]****DOCKET NO.****[ALWR] STANDARD DESIGN****FINAL DESIGN APPROVAL (FDA)**

- (1) The [Vendor] has submitted to the Nuclear Regulatory Commission's (NRC) staff for its review a standardized final design for a nuclear power plant of the type described in 10 CFR 50.22. The design is described in the Standard Safety Analysis Report (SSAR) for the [ALWR], including Amendments 1 through ____ thereto.
- (2) The SSAR contains final design information in accordance with 10 CFR Part 52, Appendix O, Paragraph 3, for the [ALWR] standard design, which encompasses the nuclear steam supply system (NSSS), engineered safety feature systems, reactor building (including the containment), service building, control building, radwaste building, turbine building, and related systems and structures. The [ALWR] standard design is for a facility with a rated core thermal power level of _____ megawatts.
- (3) The [ALWR] standard design has been reviewed by the NRC staff and by the Advisory Committee on Reactor Safeguards (ACRS). The results of the NRC staff evaluation of the [ALWR] design are presented in the Final Safety Evaluation Report (FSER), NUREG __, dated _____ and FSER Supplement 1 dated _____.

The ACRS's comments are set forth in its letter of [date] (Appendix ___ of FSER Supplement 1).

- (4) Based on its review and the findings set forth in the FSER, the NRC staff has concluded that the information provided in the SSAR with respect to the [ALWR] standard design, as described in paragraph 2 above, complies with the requirements of 10 CFR Part 52, Appendix O, and the applicable requirements of 10 CFR Part 52, Subpart B, including particularly sections 52.45 and 52.47, and is acceptable for incorporation by reference in individual facility applications for construction permits and operating licenses under 10 CFR Part 50, applications for combined licenses under Part 52, and applications for design certification under Part 52. In accordance with 10 CFR Part 52, Appendix O, this approved design shall be utilized and relied upon by the staff and the ACRS in their reviews of any individual application which incorporates by reference the approved design unless there exists significant new information which substantially affects the determination set forth in this Final Design Approval or other good cause which meets the backfit criteria in 10 CFR 50.109.
- (5) The [ALWR] standard design described in the SSAR is acceptable for use as a reference design for construction permit and operating license applications and combined license applications for facilities which are to be located at sites whose characteristics are within the envelope of site parameters stated in the [ALWR] standard design which are set forth in the SSAR, provided that the out-of-scope portions of the plant that interface with the approved design conform to the interface requirements set forth in the SSAR. An applicant may deviate from the

provisions in the SSAR; however, such deviations will be subject to review and approval by the NRC staff and the ACRS.

- (6) [Vendor] has sought a design certification for the [ALWR] standard design. The application for design certification includes [ALWR Certified Design Material (i.e., Tier 1 material) dated ____]. The NRC staff has reviewed the application, including the [ALWR Certified Design Material], and concludes that the information contained therein is sufficient to support approval of the [ALWR Certified Design Material]. This information shall be utilized and relied upon by the NRC staff in the design certification rulemaking proceeding for the [ALWR] and in its review of any individual application for a construction permit, operating license, or combined license which incorporates by reference the standard design approved by this Final Design Approval, unless there exists significant new information which substantially affects the determination set forth in this Final Design Approval or other good cause which meets the backfit criteria in 10 CFR 50.109.
- (7) This Final Design Approval and all applications for construction permits and operating licenses, applications for combined licenses, and applications for design certifications incorporating it by reference, are subject to all applicable provisions of the Atomic Energy Act of 1954, as amended, and the rules and regulations and orders of the Commission now or hereafter in effect.
- (8) This Final Design Approval does not constitute a commitment to issue a permit, license, or design certification, or in any way affect the authority of the

Commission, Atomic Safety and Licensing Boards, and other presiding officers in any proceeding under Subpart G of 10 CFR Part 2 or Part 52.

- (9) After issuance of the Final Design Approval and prior to issuance of a design certification rule, [vendor] may amend the SSAR for the [ALWR] standard design [or may amend the ALWR Certified Design Material]. Such an amendment shall be subject to review and approval by the NRC staff and ACRS.

- (10) This Final Design Approval is effective as of its date of issuance and shall expire [15 years after date of issuance], unless extended by the NRC staff. The expiration of this Final Design Approval shall not affect its use in applications docketed prior to such date.

FOR THE NUCLEAR REGULATORY COMMISSION

Date of Issuance: _____

UNITED STATES NUCLEAR REGULATORY COMMISSION**DOCKET NO.****[VENDOR]****NOTICE OF ISSUANCE OF FINAL DESIGN APPROVAL**

Notice is hereby given that the staff of the Nuclear Regulatory Commission (NRC) has issued the Final Design Approval for the [ALWR] standard design described in the Standard Safety Analysis Report (SSAR) for the [ALWR]. The Final Design Approval, issued by the NRC staff on [date], permits the SSAR for the [ALWR] standard design to be referenced in applications for construction permits and operating licenses under Part 50, for combined licenses under Part 52, and for design certifications under Part 52.

The SSAR contains final safety-related design information for the [ALWR] standard design, which includes the nuclear steam supply system (NSSS), engineered safety feature systems, reactor building (including the containment), service building, control building, radwaste building, turbine building, and related systems and structures. The [ALWR] standard design is for a facility which would operate at a rated core thermal power level of _____ megawatts.

The [ALWR] standard design was reviewed by the NRC staff pursuant to Appendix O to 10 CFR Part 52. The Final Safety Evaluation Report (FSER), NUREG-_____, dated _____ and Supplement 1 thereto dated _____, document the results of the NRC staff's review and evaluation of the [ALWR] standard design described in the SSAR, including Amendments 1 through ___ thereto. The FSER also addresses the comments of the Advisory Committee on Reactor Safeguards (ACRS) as reflected in its report to the

Commission dated _____. A copy of the ACRS's report is included as Appendix __ to FSER Supplement 1.

Based on its review, the NRC staff has concluded that the information provided in the SSAR complies with the requirements of 10 CFR Part 52, Appendix O, and is acceptable for incorporation by reference in applications for construction permits, operating licenses, combined licenses, and design certifications. The Final Design Approval shall be utilized and relied upon by the NRC staff and the ACRS in their reviews of any individual application for a construction permit, operating license, combined license, or design certification that references the SSAR for the [ALWR] standard design unless there exists significant new information which substantially affects the determination set forth in the Final Design Approval or other good cause which meets the backfit criteria in 10 CFR 50.109.

Issuance of the Final Design Approval does not constitute a commitment to issue a permit, license, or design certification, or in any way affect the authority of the Commission, Atomic Safety and Licensing Boards and other presiding officers in any proceeding under Subpart G of 10 CFR Part 2 or Part 52. This action only approves the design of a facility for use for reference purposes in applications for permits, licenses, and design certifications for nuclear power plants, and binds the NRC staff and ACRS in their review of such applications as provided above. It does not authorize the operation of any nuclear power plant or any other facility.

The Final Design Approval is effective as of its date of issuance and shall expire fifteen years later unless extended by the NRC staff. The expiration of the Final Design Approval shall not affect its use in applications docketed prior to such date.

For further details with respect to this action, see (1) the NRC staff's Final Safety Evaluation Report, NUREG-__, dated _____ and Supplement 1 dated _____; (2) the report of the Advisory Committee on Reactor Safeguards dated _____; (3) the [Vendor's] Standard Safety Analysis Report and Amendments 1 through __; [and (4) the [Vendor's] Certified Design Material for the ALWR, dated _____,]. These documents are available for public inspection at the Commission's Public Document Room at 2120 L Street, N.W., Washington, D.C. 20037. A copy of the Final Design Approval may be obtained upon request to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention _____. Copies of the Final Safety Evaluation Report and Supplement 1 may be purchased through _____.

FOR THE NUCLEAR REGULATORY COMMISSION

Date: _____