

From: Omid Tabatabai
Sent: Monday, October 30, 2023 8:53 AM
To: CFPP-DocsPEM Resource
Subject: NRC Staff's Request for Additional Information for CFPP LWA - Draft RAI-10109-R1
Attachments: Draft RAI-10109-R1.docx

From: Omid Tabatabai <Omid.Tabatabai-Yazdi@nrc.gov>
Sent: Thursday, October 19, 2023 7:43 PM
To: John Volkoff <jvolkoff@nuscalepower.com>
Cc: Eric Woods <eric.woods@fluorgov.com>; Glenn Neises <gneises@burnsmcd.com>; Kyra Perkins <kperkins@nuscalepower.com>; LicensingCFPP <LicensingCFPP@nuscalepower.com>; Matthew Featherston <Matthew.Featherston@fluorgov.com>; Scott Head <scott.head@cfpplc.com>; Shawn Hughes <shawn@cfpplc.com>; Susan Baughn <sbaughn@nuscalepower.com>; Tamela Cohen <tcohen@nuscalepower.com>; Mason Baker <mason@uamps.com>; Mahmoud Jardaneh <Mahmoud.Jardaneh@nrc.gov>
Subject: NRC Staff's Request for Additional Information for CFPP LWA - Draft RAI-10109-R1

Dear Mr. Volkoff,

The NRC staff is currently reviewing a limited work authorization (LWA) application submitted by Carbon Free Power Project (CFPP). The staff is submitting the attached draft request for additional information (RAI) questions in support of its detailed review of the LWA application.

Before the NRC staff formally and publicly issues these questions, please respond to the following questions within 3 business days:

1. Are the RAI questions clear?
2. Do you need a clarification call to discuss the questions?
3. Can you respond to the RAI questions within 30 days from receiving this request?

If you have any questions, please contact me.

Regards,

Omid Tabatabai
U.S. Nuclear Regulatory Commission
NRR/DNRL/NRLB
Office: (301) 415-6616
Email: Omid.Tabatabai@nrc.gov

Hearing Identifier: CarbonFreePower_Docs_Public
Email Number: 7

Mail Envelope Properties (MN2PR09MB509739EBDFAF3911EBBF3B13DFA1A)

Subject: NRC Staff's Request for Additional Information for CFPP LWA - Draft
RAI-10109-R1
Sent Date: 10/30/2023 8:53:00 AM
Received Date: 10/30/2023 8:53:03 AM
From: Omid Tabatabai

Created By: Omid.Tabatabai-Yazdi@nrc.gov

Recipients:
"CFPP-DocsPEm Resource" <CFPP-DocsPEm.Resource@nrc.gov>
Tracking Status: None

Post Office: MN2PR09MB5097.namprd09.prod.outlook.com

Files	Size	Date & Time
MESSAGE	1657	10/30/2023 8:53:03 AM
Draft RAI-10109-R1.docx	23985	

Options
Priority: Normal
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:

REQUEST FOR ADDITIONAL INFORMATION
BY THE OFFICE OF NUCLEAR REACTOR REGULATION
CFPP LIMITED WORK AUTHORIZATION APPLICATION
UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS
DOCKET NO. 99902052
ISSUE DATE: N/A

Background

By letter dated July 31, 2023 (ADAMS [ML23212A007](#)), Carbon Free Power Project (CFPP), LLC submitted an application for a limited work authorization (LWA) for the U.S. Nuclear Regulatory Commission (NRC) staff's review and approval. This request for additional information (RAI) is necessary for the staff to evaluate and ensure CFPP's requested early construction activities under the LWA complies with Quality Assurance requirements set forth in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities."

Regulatory Basis

Appendix B "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to 10 CFR Part 50.

10 CFR Part 50.10, "License required; limited work authorization."

Question 1

10 CFR 50.10(d)(3)(i) states, in part, that "A safety analysis report required by 10 CFR 50.34, 10 CFR 52.17 or 10 CFR 52.79 of this chapter, as applicable, a description of the activities requested to be performed, and the design and construction information otherwise required by the Commission's rules and regulations to be submitted for a construction permit or combined license, but limited to those portions of the facility that are within the scope of the limited work authorization. The safety analysis report must demonstrate that activities conducted under the limited work authorization will be conducted in compliance with the technically-relevant Commission requirements in 10 CFR Chapter I applicable to the design of those portions of the facility within the scope of the limited work authorization.

LWA safety analysis report (SAR) Section 4.1 "Quality Assurance Program", states, in part, that "Revision 6 of CFPP Quality Assurance Program Description (QAPD) (Reference 6-17) expands the scope of the previous NRC-approved CFPP QAPD, Revision 5, to govern CFPP construction phase activities." LWA SAR Reference 6-17 identifies two QAPD Topical Report (TR) revisions in the title of the topical report (i.e., Topical Report TR-121172-NP, Revision **4**, "Carbon Free Power Project Nuclear Quality Assurance Program Description," Revision **006**) (emphasis added by bold text), July 2023.

Please clarify which CFPP QAPD TR revision number would govern the construction phase activities described in the LWA.

Question 2

Criterion VII, "Control of Purchased Material, Equipment, and Services," of Appendix B, to 10 CFR Part 50 states, in part, that "Measures shall be established to assure that purchased material, equipment, and services, whether purchased directly or through contractors and subcontractors, conform to the procurement documents. These measures shall include provisions, as appropriate, for source evaluation and selection, objective evidence of quality furnished by the contractor or subcontractor, inspection at the contractor or subcontractor source, and examination of products upon delivery. The effectiveness of the control of quality by contractors and subcontractors shall be assessed by the applicant or designee at intervals consistent with the importance, complexity, and quantity of the product or services."

LWA SAR Section 5.2.3.2 states, in part, Burns & McDonnell provides Owner's Engineers (OEs) services to CFPP in the areas of vendor oversight, quality assurance, program governance development, document management, and technical review and approval of vendor engineering deliverables". LWA SAR Section 5.2.6 states, in part, S&ME, Inc. provides independent technical and quality assurance (QA; per 10 CFR 50, Appendix B, and NQA-1) oversight of the CFPP site investigation field activities performed by RIZZO and associated laboratory testing and analysis activities.

1. Please clarify if there are any overlaps in roles and responsibilities between these two entities (i.e., Burns and McDonnell & S&ME). Also, please explain which organization and/or person has the ultimate authority for overseeing suppliers, and explain the interfaces between these organizations as it relates to supplier oversight responsibilities to ensure adequate oversight.
2. Please provide an organizational chart showing interrelationships and areas of responsibility and authority for all organizations performing quality-related activities, including CFPP's organization and principal contractors.