

September 13, 2007

Ms. Andrea Sterdis, Manager  
Licensing and Customer Interface  
Regulatory Affairs and Standardization  
Westinghouse Electric Company  
Nuclear Power Plants  
P.O. Box 355  
Pittsburgh, PA 15230-0355

SUBJECT: WESTINGHOUSE AP1000 STANDARD COMBINED LICENSE TECHNICAL  
REPORT 117, INCORPORATION OF THE MAINTENANCE RULE (APP-GW-  
GLR-117), REVISION 0

Dear Ms. Sterdis:

By letter dated May 24, 2007, 2007, Westinghouse Electric Company (Westinghouse) submitted AP1000 Technical Report (TR) 117, "Incorporation of the Maintenance Rule," Revision 0, to facilitate the revision to the AP1000 Design Control Document (DCD) to incorporate the approach to the Maintenance Rule as documented in Nuclear Energy Institute (NEI) 07-02, "Generic FSAR Template Guidance for maintenance Rule Program Description for Plants Licensed Under 10 CFR Part 52."

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed TR 117, and based upon this review, the NRC staff has determined that the intent of TR 117 was to replace the operational reliability assurance activities (Section 17.4, Design Reliability Assurance Program) with the approach outlined in NEI 07-02; however, the operational reliability assurance activities not only include the Maintenance Rule program, but also the Combined Operating License holder's maintenance and surveillance programs and quality assurance program. NEI 07-02 explains how to perform and maintain the Maintenance Rule program and does not address the other aforementioned programs. Furthermore, since NEI 07-02 is currently being reviewed, it has not yet been approved and endorsed for use, by the NRC Staff.

Based upon the above, the NRC staff has determined that the proposed changes to the DCD, associated with TR 117, to revise the operational reliability assurance provisions, are not acceptable.

A. Sterdis

-2-

Please contact me at (301) 415-1439, if you have any other questions on this issue.

Sincerely,

**/RA/**

David H. Jaffe, Senior Project Manager  
AP1000 Projects Branch 2  
Division of New Reactor Licensing  
Office of New Reactors

Project No. 740

cc: See next page

A. Sterdis

-2-

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