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MFN 03-023  
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U.S Nuclear Regulatory Commission  
Document Control Desk  
Washington, D.C. 20852-2738

Attention: Chief, Information Management Branch  
Program Management  
Policy Development and Analysis Staff

Subject: **TPO - Review of TLTR (TAC No. MA9537)**

By Reference 1, the NRC provided GE with a non-proprietary version of the Safety Evaluation (SE) for GE's Thermal Power Optimization (TPO) Licensing Topical Report (TLTR), NEDC-32938P in order to determine the presence of any proprietary information. GE has completed its review and determined, in one instance, that proprietary information is included in the non-proprietary version of the SE. Also, GE has determined that protected information is not proprietary and may be disclosed to the public.

Specifically, in Section 5.3.1.1, the second to the last line on page 10, the value of the PCT criterion is included in the non-proprietary version of the SE. The proprietary version has a marginal line indicating the presence of proprietary information, yet no redacting was present in the non-proprietary version. The value of the PCT criterion is identified as proprietary in the TLTR, and addressed by the proprietary affidavit therein. That proprietary affidavit remains applicable and documents the basis for the proprietary nature of the information pursuant to 10CFR2.790.

GE requests that the value of the PCT criterion be withheld from public disclosure consistent with 10CFR 2.790 based on the affidavit provided in the TLTR.

In Section 5.6.5, the 5th line from the top of page 28, the word 'margin' is indicated as proprietary. The use of the word 'margin' in this cited instance is not considered proprietary by GE and may be disclosed to the public.

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If you have any questions, please contact, Mike Lalor at (408) 925-2443 or myself.

Sincerely,



For George Stramback  
Regulatory Services, Project Manager  
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Project No. 710

Reference:

1. MFN 03-026, Letter from Herbert Berkow (NRC) to George Stramback (GE), April 15, 2003, Review of General Electric Nuclear Energy Licensing Topical Report NEDC-32938P, "*General Guidelines and Evaluations for General Electric Boiling Water Reactor Thermal Power Optimization*"

cc: AB Wang (NRC)  
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