February 10, 2007

Mr. David H. Hinds
Manager, ESBWR
GE Nuclear Energy
P.O. Box 780, M/C J70
Wilmington, NC 28402-0780

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (MFN 06-189, SUPPLEMENT 1)

Dear Mr. Hinds:

By letter dated December 8, 2006, and associated affidavit executed on December 8, 2006, by George B. Stramback, you indicated that the information contained in General Electric Company's (GE's) additional information related to the review of the economic simplified boiling water reactor (ESBWR) certification application, Enclosure 3, should be withheld as proprietary. You requested that this information be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390.

A nonproprietary copy of this information was not provided since GE considered the information to be proprietary in its entirety.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The information discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by General Electric's competitors without license from General Electric constitutes a competitive economic advantage over other companies; and

2. The information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

We have reviewed your letter and affidavit in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the document. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-2875.

Sincerely,

/RA L. Rossbach for:/

Amy E. Cubbage, Senior Project Manager
ESBWR/ABWR Projects Branch 1
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-010

cc: See next page

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the document. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-2875.

Sincerely,

/RA L. Rossbach for:/

Amy E. Cubbage, Senior Project Manager
ESBWR/ABWR Projects Branch 1
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-010

cc: See next page

DISTRIBUTION:
Hard Copy
NGE1 R/F
ACubbage

E-Mail

PUBLIC	ACubbage
MShuaibi	SGreen
MBarillas	JGaslevic
SWilliams	TKevern
NPatel	LQuinones
LRossbach	KWinsberg, OGC
RidsAcrsAcnwMailCenter	GWunder
RLKaras	

*See previous concurrence
ADAMS ACCESSION NUMBER: ML063540418

OFFICE	LA:NGE1:DNRL	LA:NGE1:DNRL*	BC:EGCB:DE	BC:NGE1:DNRL
NAME	AECubbage	SCGreen	RLKaras	MAShuaibi
DATE	12/28/2006	12/21/2006	02/07/2006	02/10/2006

OFFICIAL RECORD COPY

ESBWR Mailing List

cc:

Mr. David Lochbaum, Nuclear Safety Engineer
Union of Concerned Scientists
1707 H Street, NW., Suite 600
Washington, DC 20006-3919

Mr. Paul Gunter
Nuclear Information & Resource Service
1424 16th Street, NW, Suite 404
Washington, DC 20036

Mr. James Riccio
Greenpeace
702 H Street, Suite 300
Washington, DC 20001

Mr. Adrian Heymer
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Mr. Paul Leventhal
Nuclear Control Institute
1000 Connecticut Avenue, NW
Suite 410
Washington, DC 20036

Mr. Ron Simard
6170 Masters Club Drive
Suwanne, GA 30024

Mr. Brendan Hoffman
Research Associate on Nuclear Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr, Jay M. Gutierrez
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Mr. Glenn H. Archinoff
AECL Technologies
481 North Frederick Avenue
Suite 405
Gaithersburg, MD 20877

Mr. Gary Wright, Director
Division of Nuclear Facility Safety
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, IL 62704

Mr. Charles Brinkman
Westinghouse Electric Co.
Washington Operations
12300 Twinbrook Pkwy., Suite 330
Rockville, MD 20852

Mr. Ronald P. Vijuk
Manager of Passive Plant Engineering
AP1000 Project
Westinghouse Electric Company
P. O. Box 355
Pittsburgh, PA 15230-0355

Mr. Ed Wallace, General Manager
Projects
PBMR Pty LTD
PO Box 9396
Centurion 0046
Republic of South Africa

Mr. Russell Bell
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Ms. Sandra Sloan
Areva NP, Inc.
3315 Old Forest Road
P.O. Box 10935
Lynchburg, VA 24506-0935

Mr. Robert E. Sweeney
IBEX ESI
4641 Montgomery Avenue
Suite 350
Bethesda, MD 20814

Mr. Eugene S. Grecheck
Vice President, Nuclear Support Services
Dominion Energy, Inc.
5000 Dominion Blvd.
Glen Allen, VA 23060

Mr. George A. Zinke
Manager, Project Management
Nuclear Business Development
Entergy Nuclear, M-ECH-683
1340 Echelon Parkway
Jackson, MS 39213

E-Mail:
tom.miller@hq.doe.gov or
tom.miller@ nuclear.energy.gov
sfrantz@morganlewis.com
ksutton@morganlewis.com
jgutierrez@morganlewis.com
mwetterhahn@winston.com
whorin@winston.com
gcesare@enercon.com
jerald.holm@framatome-anp.com
erg-xl@cox.net
joseph_hegner@dom.com
mark.beaumont@wsms.com
steven.hucik@ge.com
patriciaL.campbell@ge.com
bob.brown@ge.com
david.hinds@ge.com
chris.maslak@ge.com
James1.Beard@ge.com
kathy.sedney@ge.com
mgiles@entergy.com
tansel.selekler@nuclear.energy.gov or
tansel.selekler@hq.doe.gov
Frostie.white@ge.com
David.piepmeyer@ge.com
george.stramback@gene.ge.com
wayne.marquino@ge.com
james.kinsey@ge.com
david.lewis@pillsburylaw.com
paul.gaukler@pillsburylaw.com
john.o'neill@pillsburylaw.com
matias.travieso-diaz@pillsburylaw.com
maria.webb@pillsburylaw.com
roberta.swain@ge.com
cwaltman@roe.com