



HITACHI

GE Hitachi Nuclear Energy

Proprietary Notice

This letter forwards proprietary information in accordance with 10CFR2.390. Upon the removal of Enclosure 1, the balance of this letter may be considered non-proprietary.

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U.S. Nuclear Regulatory Commission

Washington, DC 20555-0001

Subject: ESBWR Marathon and Marathon-5S Control Rod Finite Element Analysis Summary (TAC No. MD8758)

During the August 6-7, 2008 control blade audit, GE-Hitachi Nuclear Energy (GEH) presented a table summarizing the finite element analysis basis for the ESBWR and Marathon-5S control rods. The subject table is submitted for use on the Marathon-5S review currently in process.

Please note that Enclosure 1 contains proprietary information of the type that GEH maintains in confidence and withholds from public disclosure. The information has been handled and classified as proprietary to GEH as indicated in the affidavit contained in Enclosure 3. GEH hereby requests that the information in Enclosure 1 be withheld from public disclosure in accordance with the provisions of 10CFR2.390 and 9.17.

Enclosure 1 is the proprietary version of the finite element analysis summary and Enclosure 2 is a non-proprietary version. Enclosure 3 contains the affidavit.

Sincerely,

James F. Harrison

Vice President, Fuel Licensing

Regulatory Affairs

GE-Hitachi Nuclear Energy Americas LLC

Enclosures

1. ESBWR Marathon and Marathon-5S Control Rod Finite Element Analysis Summary - GEH Proprietary Information
2. ESBWR Marathon and Marathon-5S Control Rod Finite Element Analysis Summary - Non-Proprietary Information
3. Affidavit, dated September 9, 2008

cc: MC Honcharik (NRC)
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eDRF Section 0000-0090-7676