

October 1, 2008

Mr. Robert E. Brown  
Senior Vice President, Regulatory Affairs  
GE Hitachi Nuclear Energy  
3901 Castle Hayne Road MC A-50  
Wilmington, NC 28401

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION LETTER NO. 261 RELATED TO  
ESBWR DESIGN CERTIFICATION APPLICATION

Dear Mr. Brown:

By letter dated August 24, 2005, GE-Hitachi Nuclear Energy (GEH) submitted an application for final design approval and standard design certification of the economic simplified boiling water reactor (ESBWR) standard plant design pursuant to 10 CFR Part 52. The Nuclear Regulatory Commission (NRC) staff is performing a detailed review of this application to enable the staff to reach a conclusion on the safety of the proposed design.

The NRC staff has identified that additional information is needed to continue portions of the review. The staff's request for additional information (RAI) is contained in the enclosure to this letter.

If you have any questions or comments concerning this matter, you may contact me at 301-415-6256 or [Dennis.Galvin@nrc.gov](mailto:Dennis.Galvin@nrc.gov) or you may contact Amy Cubbage at 301-415-2875 or [Amy.Cubbage@nrc.gov](mailto:Amy.Cubbage@nrc.gov).

Sincerely,

*/RA/*

Dennis Galvin, Project Manager  
ESBWR/ABWR Projects Branch 1  
Division of New Reactor Licensing  
Office of New Reactors

Docket No. 52-010

Enclosure:  
Request for Additional Information

cc: See next page

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Dennis Galvin, Project Manager  
ESBWR/ABWR Projects Branch 1  
Division of New Reactor Licensing  
Office of New Reactors

Docket No. 52-010

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Request for Additional Information

cc: See next page

Distribution: See next page

ACCESSION NO.: ML082750132

NRO-002

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<b>DATE</b>	10/01/2008	10/01/2008

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SUBJECT: REQUEST FOR ADDITIONAL INFORMATION LETTER NO. 261 RELATED TO  
ESBWR DESIGN CERTIFICATION APPLICATION DATED OCTOBER 1, 2008

Distribution:  
PUBLIC

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**Requests for Additional Information (RAIs):  
ESBWR Design Control Document (DCD) Revision 5**

RAI Number	Reviewer	Question Summary	Full Text
7.5-8	Corp K	Correct the DCD citations to 10 CFR 52.	Part 52 of 10 CFR was revised in August of 2007, to clarify the use of the terms, site characteristics, site parameters, design characteristics, and design parameters, in order to ensure that the NRC's requirements governing applications for and issuance of early site permits, design approvals, design certifications, combined licenses, and manufacturing licenses are expressed in clear and unambiguous terms. The new code became effective as of September 27, 2007. The ESBWR DCD Rev. 5 still cites the old 10 CFR Part 52. The DCD should conform to the new rule and cite accordingly in the application. For example in Section 7.5.1.3.1, the DCD states that the post accident monitoring instrumentation systems will conform to 10 CFR 52.47(a)(1)(vi). In the new Part 52 such a citation no longer exists. This rule concerning ITAAC is now cited under 10 CFR 52.47(b)(1).

Enclosure

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(Revised 09/29/2008)

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