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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.

MFN 09-358

Docket No. 52-010

May 29, 2009

U.S. Nuclear Regulatory Commission
Document Control Desk
Washington, D.C. 20555-0001

Subject: Licensing Topical Report NEDE-33226P, Revision 4, ESBWR – Software Management Program Manual

The purpose of this letter is to transmit Revision 4 of GEH's Licensing Topical Report (LTR) NEDE-33226P, "ESBWR – Software Management Program Manual".

Revision 4 of NEDE-33226P incorporates responses to various NRC RAIs as well as other editorial changes. NEDE-33226P is being submitted as a proprietary document as shown in Enclosure 1. Enclosure 1 contains GEH proprietary information. GEH customarily maintains this information in confidence and withholds it from public disclosure. A non-proprietary version is provided in Enclosure 2.

The affidavit contained in Enclosure 3 identifies that the information contained in Enclosure 1 has been handled and classified as proprietary to GEH. GEH hereby requests that the information of Enclosure 1 be withheld from public disclosure in accordance with the provisions of 10 CFR 2.390 and 9.17.

If you have any questions or require additional information, please contact me.

Sincerely,

Richard E. Kingston
Vice President, ESBWR Licensing

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Enclosures:

1. GEH Nuclear Energy, "ESBWR – Software Management Program Manual," NEDE-33226P, Revision 4, May 2009 – Proprietary Version
2. GEH Nuclear Energy, "ESBWR – Software Management Program Manual," NEDO-33226, Revision 4, May 2009 – Non-Proprietary Version
3. Affidavit – David H. Hinds, dated May 29, 2009

cc:

AE Cabbage	USNRC (with enclosure)
JG Head	GEH/Wilmington (with enclosure)
DH Hinds	GEH/Wilmington (with enclosures)
eDRF Section:	0000- 0100-8892