



**HITACHI**

**GE Hitachi Nuclear Energy**

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**Proprietary Notice**

This letter forwards proprietary information in accordance with 10 CFR 2.390. Upon the removal of Enclosure 1, the balance of this letter may be considered non-proprietary.

MFN 09-444

Docket No. 52-010

June 29, 2009

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

Subject: **Transmittal of Licensing Topical Reports (LTR) NEDE-33440P and NEDO-33440, Revision 1 "ESBWR Safety Analysis – Additional Information June 2009"**

The purpose of this letter is to submit the GE Hitachi Nuclear Energy (GEH) LTR regarding compilation of the information requested and commitments made in miscellaneous RAIs resulted from the NRC review of the ESBWR design certification. Those RAIs and associated GEH MFN letters are listed in Table 1.1 of the LTR with details of the information presented in subsequent LTR sections. Only the material included in the RAI submittal is presented in this LTR. There is no computer analysis or technical evaluation required to support this report. No conclusions or recommendations are included in this report.

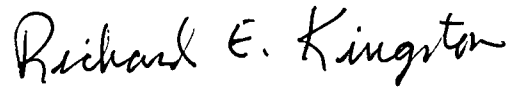
Enclosure 1 contains GEH proprietary information as defined by 10 CFR 2.390. GEH customarily maintains this information in confidence and withholds it from public disclosure. Enclosure 2 is a non-proprietary version that is suitable for public disclosure.

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.

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NED

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

Sincerely,

A handwritten signature in black ink that reads "Richard E. Kingston". The script is cursive and fluid.

Richard E. Kingston  
Vice President, ESBWR Licensing

Enclosures:

1. Licensing Topical Report NEDE-33440P, Revision 1 "ESBWR Safety Analysis – Additional Information June 2009" – GEH Proprietary Information
2. Licensing Topical Report NEDO-33440, Revision 1 "ESBWR Safety Analysis – Additional Information June 2009" – Public Version
3. MFN 09-444 – Affidavit – Larry J. Tucker – June 29, 2009

cc: AE Cubbage	USNRC (with enclosures)
JG Head	GEH/Wilmington (with enclosures)
DH Hinds	GEH/Wilmington (with enclosures)
eDRF	0000-0089-0134/R2