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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 09-520

Docket No. 52-010

July 30, 2009

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

Subject: **Submission of ESBWR Licensing Topical Report – ESBWR - Software Quality Assurance Program Manual, Rev. 4, NEDE-33245P**

The purpose of this letter is to submit Licensing Topical Report (LTR) NEDE-33245P, *ESBWR - Software Quality Assurance Program Manual*, Revision 4 for your review and use. This letter is to support NRC review of the GEH application for final design approval and standard design certification of the ESBWR standard plant design pursuant to 10 CFR Part 52, Reference 1.

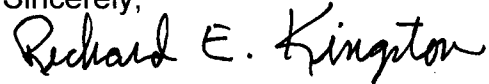
Enclosure 1 contains proprietary information as defined in 10CFR2.390. The affidavit contained in Enclosure 3 identifies that the information contained in Enclosure 1 has been handled and classified as proprietary to GEH. A non-proprietary version is contained in Enclosure 2.

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 in Enclosure 1 be withheld from public disclosure in accordance with the provisions of 10 CFR 2.390 and 9.17.

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If you have any questions about the information provided here, please let me know.

Sincerely,



Richard E. Kingston
Vice President, ESBWR Licensing

Reference:

1. MFN 08-256, GEH letter to U.S. Nuclear Regulatory Commission, "Submittal of ESBWR Licensing Topical Report NEDE-33245P, ESBWR Software Quality Assurance Program Manual (SQAPM) Implementation Plan, Revision 3 dated July 11, 2008.

Enclosures:

1. MFN 09-520, ESBWR Licensing Topical Report – ESBWR Software Quality Assurance Program Manual – NEDE-33245P, Revision 4 - GEH Proprietary Information
2. MFN 09-520, ESBWR Licensing Topical Report – ESBWR Software Quality Assurance Program Manual – NEDO-33245, Revision 4 – Public Version
3. Affidavit – David H. Hinds – dated July 30, 2009.

cc: AE Cabbage USNRC (with enclosures)
RE Brown GEH/Wilmington (with enclosures)
LJ Tucker GEH/Wilmington (with enclosures)
eDRF Section 0000-0105-2207