



**HITACHI**

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U.S. Nuclear Regulatory Commission  
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**Subject: GEH Support of ESBWR DCD Certification Schedule Milestones**

This letter is written to re-affirm GEH's commitment to the updated review schedule issued in November 2009 (Reference 1) and the associated activities that support this schedule. GEH appreciates the continued level of engagement from the NRC in addressing the remaining open items associated with the ESBWR certification in an effort to bring them to closure.

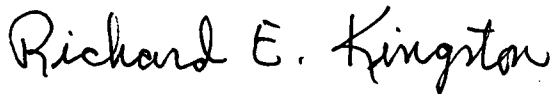
Throughout 2009, GEH and the NRC have made significant progress toward resolution of remaining items in the review of the ESBWR design certification application. The joint emphasis on resolving open items has allowed both GEH and NRC to focus those areas where additional information has been required and to communicate any additional information in a timely manner. Today, GEH has responded to all requests for additional information ("RAIs") issued by the NRC prior to the October 31<sup>st</sup> schedule milestone and will have less than 10 RAI responses remaining at year end. GEH and the NRC successfully engaged on several unique and first-of-a-kind issues in the ESBWR design, which is an advanced design that employs passive safety features. In addition, the Advisory Committee on Reactor Safeguards ("ACRS") ESBWR Subcommittee and the ACRS Committee reviewed the ESBWR design certification application and the NRC draft safety evaluations (with open items). GEH and the NRC staff are currently addressing the outstanding ACRS questions while the review proceeds toward NRC development of the safety evaluation for final ACRS review in 2010.

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For those remaining RAI responses, GEH will continue interactions with the NRC to ensure high quality responses at the time of submittal to preclude delays in meeting the subsequent schedule milestones. Likewise, GEH will continue to work with the NRC to establish response plans for the submittal of these few exceptions. In particular, responses to recently issued Aircraft Impact Assessment and Fuel Rack RAIs will be provided to the NRC in a timely manner to support the updated review schedule.

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

Sincerely,



Richard E. Kingston  
Vice President, ESBWR Licensing

Reference:

1. MFN 09-698, Letter from U.S. Nuclear Regulatory Commission to Jerald G. Head, Economic Simplified Boiling-Water Reactor Design Certification Schedule Revision, November 5, 2009 (ML093020277).

cc: AE Cabbage      USNRC  
     JG Head        GEH/Wilmington