May 25, 2010

Mr. Jerald G. Head
Senior Vice President, Regulatory Affairs
GE Hitachi Nuclear Energy
3901 Castle Hayne Road MC A-18
Wilmington, NC 28401

SUBJECT: ADVANCED FINAL SAFETY EVALUATION REPORT FOR CHAPTER 22 "REGULATORY TREATMENT OF NONSAFETY SYSTEMS" REGARDING THE ECONOMIC SIMPLIFIED BOILING WATER REACTOR (ESBWR) DESIGN CERTIFICATION REVIEW

Dear Mr. Head:

The U.S. Nuclear Regulatory Commission staff is preparing Final Safety Evaluation Reports (FSERs) for each chapter of the ESBWR design certification application submitted by GE-Hitachi Nuclear Energy on August 24, 2005.

The staff's FSER for Chapter 22 was recently provided to the Advisory Committee on Reactor Safeguards (ACRS) ESBWR Design-Centered Subcommittee to support the upcoming meeting scheduled to be held on June 22, 2010. The ACRS Full Committee meeting will be held at a future date.

The enclosed FSER is being provided to GEH for review of proprietary information and factual accuracy. Note that a public version of the FSER needs to be placed in the public document room prior to the ACRS Subcommittee meeting so the staff will need to either retract any proprietary information or determine if alternative non-proprietary language may be used. To support this schedule, please reply within a period of 10 working days from the date of this letter with your comments on the proprietary aspects of the FSER.

If you believe that any information in the enclosure is proprietary, please identify such information line by line and define the basis pursuant to the criteria of 10 CFR 2.390.

Sincerely,

/RA/

Amy Cubbage, Acting Chief
ESBWR/ABWR Projects Branch 1
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-010

Enclosure:
Final Safety Evaluation Report – Chapter 22

cc: See next page

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