

August 10, 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 FOR CHAPTER 21 "TESTING AND COMPUTER CODE EVALUATION" REGARDING THE ECONOMIC SIMPLIFIED BOILING WATER REACTOR 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 Economic Simplified Boiling Water Reactor (ESBWR) design certification application submitted by GE- Hitachi Nuclear Energy on August 24, 2005.

The staff's Final Safety Evaluation (FSE) for Chapter 21 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 August 16-17, 2010. The ACRS Full Committee meeting will be held at a future date.

The enclosed FSE is being provided to GEH for review of proprietary information and factual accuracy. Note that a public version of the FSE 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 FSE.

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/

Mark Tonacci, Branch Chief
BWR Branch
Division of New Reactor Licensing
Office of New Reactors

NOTICE: Document transmitted herewith contains sensitive unclassified information. When separated from the enclosure this cover letter is "DECONTROLLED."

Docket No. 52-010

Enclosure:
Final Safety Evaluation Report – Chapter 21

August 10, 2010

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ADAMS Accession No.: ML102160702

NRO-002

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SUBJECT: ADVANCED FINAL SAFETY EVALUATION REPORT FOR CHAPTER 21
"TESTING AND COMPUTER CODE EVALUATION" REGARDING THE
ECONOMIC SIMPLIFIED BOILING WATER REACTOR (ESBWR) DESIGN
CERTIFICATION REVIEW

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