

February 16, 2017

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

SUBJECT: GE-HITACHI NUCLEAR ENERGY – UNITED STATES ADVANCED BOILING
WATER REACTOR DESIGN CERTIFICATION RENEWAL ELECTRONIC
READING ROOM

Dear Mr. Head:

By a letter dated December 7, 2010, GE Hitachi Nuclear Energy (GEH) submitted a design certification (DC) renewal application for the U.S. Advanced Boiling Water Reactor (ABWR) pursuant to the requirements of Subpart B, “Standard Design Certifications,” of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants.” On February 18, 2011, the U.S. Nuclear Regulatory Commission (NRC) published a Federal Register notice of acceptance for docketing of the application.

To improve the efficiency of the NRC’s regulatory review, GEH and NRC staff discussed the use of an Electronic Reading Room that would allow the NRC staff limited read-only access to materials cited in the GEH renewal application but not submitted on the docket. The Electronic Reading Room will allow the NRC staff to audit these materials to determine whether the information contained in them supports the statements made in the application. The NRC staff will formally request documents to be submitted on the docket if the staff identifies them as necessary for its evaluation of the renewal application. Use of the Electronic Reading Room is acceptable as long as the “Conditions for Access” contained in the enclosure are met by GEH. In addition, the enclosed “Conditions for Access” should be used as the only acknowledgement form for the NRC staff’s access to the Electronic Reading Room. Any proposed modification or addition to the enclosed “Conditions for Access” would require further review by the NRC staff. The NRC requests that GEH provide written confirmation that it agrees to the “Conditions for Access” enclosed with this letter.

J. Head

- 2 -

If you have any questions or comments concerning this matter, I can be reached at (301) 415-1193 or via e-mail address at Joseph.Donoghue@nrc.gov.

Sincerely,

/RA/

Joseph E. Donoghue, Chief
Licensing Branch 3
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-045

Enclosure:
As stated

SUBJECT: GE-HITACHI NUCLEAR ENERGY – UNITED STATES ADVANCED BOILING
WATER REACTOR DESIGN CERTIFICATION RENEWAL ELECTRONIC
READING ROOM DATED FEBRUARY 16, 2017.

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**CONDITIONS FOR ACCESS TO GE-HITACHI NUCLEAR ENERGY
ELECTRONIC READING ROOM**

GE-Hitachi Nuclear Energy (GEH) (Applicant) has voluntarily made this Electronic Reading Room (ERR) available to authorized employees and contractors (collectively, staff) of the U.S. Nuclear Regulatory Commission (NRC) to support the NRC staff's review of the U.S. Advanced Boiling Water Reactor (ABWR) renewal application (Application). The ERR provides "read-only" access to information that has not been submitted on the docket.

The following are conditions for access to the ERR:

- 1) At no charge to the NRC, the Applicant makes available and maintains the ERR for access by authorized NRC staff users. The Applicant or NRC may terminate the NRC staff's access to the ERR at any time, without cost, penalty, or liability to the other party.
- 2) The NRC staff will determine which of its employees and contractors should be authorized users based on their job duties, and provide that information to a point of contact designated by the Applicant.
- 3) The ERR will be available to authorized NRC staff users through "read only" access with no capability to (a) modify information on the ERR, (b) control the ERR application, or (c) print, save, or download information from the ERR.
- 4) The ERR may be used by authorized NRC staff users for the sole purpose of fulfilling the NRC's regulatory responsibilities.
- 5) The information accessible through the ERR does not constitute "communications" as part of the formal licensing process pursuant to applicable regulations contained in Title 10 of the *Code of Federal Regulations* (CFR). Information accessible through the ERR is owned and under the control of the Applicant and does not constitute an "agency record" under the Freedom of Information Act, 5 USC 552, and the NRC's implementing regulations in 10 CFR Part 9.
- 6) Information available through the ERR may include trade secrets, confidential commercial or financial information, and proprietary information. Accordingly, NRC users shall not disclose any of the information to any other person except to others within the NRC as necessary and in the course of performing their duties. If, however, the NRC determines that it is necessary to share the information outside the NRC for a legitimate government purpose, the NRC will provide timely written notice to the Applicant and will provide the Applicant with the opportunity to request that the information be withheld from public disclosure by executing an affidavit in accordance with 10 CFR 2.390(b). The NRC will treat the Applicant's withholding request, and the information that is the subject of the request, in accordance with 10 CFR 2.390 and applicable law.

Enclosure

- 7) Except as stated above, the Applicant is not subject to the requirements of 10 CFR 2.390(b), including the requirement to submit an affidavit, with respect to the information made available through the ERR. Once the Applicant submits information on the docket, it must comply with the affidavit and other requirements of 10 CFR 2.390(b) if it wishes to have the information withheld from public disclosure.
- 8) As part of access to the ERR, the Applicant may collect only the following information from NRC staff users:
 - a) When the NRC staff user first visits the ERR, the Applicant may ask that the user take certain action, like registering and/or subscribing to the ERR, and may request information about the user, such as the user's name, NRC organization, business address, business telephone and facsimile number, business email address and other business identity and business contact information.
 - b) Certain routing information such as the Internet Protocol address of the NRC staff user's originating Internet Service Provider.
 - c) Information provided by "cookies" stored on the NRC staff user's hard drive, except that (i) information may be collected only from cookies created for the purpose of accessing the ERR, (ii) these cookies may be used only to associate a unique identifier with the NRC staff user and to track which documents or webpages on the ERR were accessed by the NRC staff user.