

January 11, 2006

Mr. David Hinds, Manager, ESBWR
General Electric Company
P.O. Box 780, M/C L60
Wilmington, NC 28402-0780

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR TRACG INPUTS FOR THE FEEDWATER LINE BREAK LOCA - ASCII
FILE, (MFN-05-105)

Dear Mr. Hinds:

By letter dated October 6, 2005, and associated affidavit executed on October 6, 2005, by George B. Stramback, you indicated that the information contained in the CD titled "TRACG Inputs for the Feedwater Line Break Limiting LOCA - ASCII File," that was submitted to support the ESBWR review, should be withheld as proprietary. You requested that this information be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations*, Section 2.390 (10 CFR 2.390).

A nonproprietary copy of this information was not provided since General Electric Company (GE) considered the information to be proprietary in its entirety.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (1) The information discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GE's competitors without license from GE constitutes a competitive economic advantage over other companies; and
- (2) The information, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

We have reviewed your letter and affidavit in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the document. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

D. Hinds

-2-

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the Nuclear Regulatory Commission (NRC). You should also understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-4125.

Sincerely,

/RA/

James Kim, Project Manager
New Reactor Licensing Branch
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 52-010

cc: See next page

D. Hinds

-2-

promptly notify the Nuclear Regulatory Commission (NRC). You should also understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-4125.

Sincerely,

/RA/

James Kim, Project Manager
New Reactor Licensing Branch
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 52-010

cc: See next page

DISTRIBUTION

Hard Copy
NRBA R/F
ACubbage
LRossbach
JKim

E-MAIL

PUBLIC	LDudes	ACubbage	FAkstulewicz
RLandry	EThrom	ADrozd	JHan

ACCESSION NUMBER: ML060090376

OFFICE	NRBA/PM	SNPB/BC	NRBA/BC
NAME	JKim	FAkstulewicz	LDudes
DATE	01/09/06	01/10/06	01/11/06

OFFICIAL RECORD COPY

ESBWR

cc:

Mr. David H. Hinds, Manager
ESBWR
P.O. Box 780, M/C L60
Wilmington, NC 28402-0780

Mr. George B. Stramback
Manager, Regulatory Services
GE Nuclear Energy
1989 Little Orchard Street, M/C 747
San Jose, CA 95125

Mr. David Lochbaum, Nuclear Safety Engineer
Union of Concerned Scientists
1707 H Street, NW., Suite 600
Washington, DC 20006-3919

Mr. Paul Gunter
Nuclear Information & Resource Service
1424 16th Street, NW, Suite 404
Washington, DC 20036

Mr. James Riccio
Greenpeace
702 H Street, Suite 300
Washington, DC 20001

Mr. Adrian Heymer
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Mr. Paul Leventhal
Nuclear Control Institute
1000 Connecticut Avenue, NW
Suite 410
Washington, DC 20036

Dr. Jack W. Roe
Nuclear Energy Institute
1776 I Street, NW
Washington, DC 20006-3708

Mr. Ron Simard
6170 Masters Club Drive
Suwanne, GA 30024

Mr. Brendan Hoffman
Research Associate on Nuclear Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Tom Clements
6703 Gude Avenue
Takoma Park, MD 20912

Ms. Patricia Campbell
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Mr. Glenn H. Archinoff
AECL Technologies
481 North Frederick Avenue
Suite 405
Gaithersburg, MD. 20877

Mr. Gary Wright, Director
Division of Nuclear Facility Safety
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, IL 62704

Mr. Charles Brinkman
Westinghouse Electric Co.
Washington Operations
12300 Twinbrook Pkwy., Suite 330
Rockville, MD 20852

Mr. Ronald P. Vijuk
Manager of Passive Plant Engineering
AP1000 Project
Westinghouse Electric Company
P. O. Box 355
Pittsburgh, PA 15230-0355

Mr. Ed Wallace, General Manager
Projects
PBMR Pty LTD
PO Box 9396
Centurion 0046
Republic of South Africa

Mr. Russell Bell
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Mr. Jerald S. Holm
Framatome ANP, Inc.
3315 Old Forest Road
P.O. Box 10935
Lynchburg, VA 24506-0935

Ms. Kathryn Sutton, Esq.
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Mr. Robert E. Sweeney
IBEX ESI
4641 Montgomery Avenue
Suite 350
Bethesda, MD 20814

Mr. Eugene S. Grecheck
Vice President, Nuclear Support Services
Dominion Energy, Inc.
5000 Dominion Blvd.
Glen Allen, VA 23060

Mr. George A. Zinke
Manager, Project Management
Nuclear Business Development
Entergy Nuclear, M-ECH-683
1340 Echelon Parkway
Jackson, MS 39213

E-Mail:

tom.miller@hq.doe.gov or
tom.miller@nuclear.energy.gov
mwetterhahn@winston.com
whorin@winston.com
gcesare@enercon.com
gerald.holm@framatome-anp.com
eddie.grant@exeloncorp.com
joseph_hegner@dom.com
steven.hucik@ge.com
david.hinds@ge.com
chris.maslak@ge.com
james1beard@ge.com
louis.quintana@gene.ge.com
wayne.massie@ge.com
kathy.sedney@ge.com
george.stramback@gene.ge.com