

February 16, 2012

Mr. Jerald G. Head
Senior Vice President, Regulatory Affairs
GE-Hitachi Nuclear Energy Americas LLC
P.O. Box 780, M/C A-18
Wilmington, NC 28401-0780

SUBJECT: FINAL SAFETY EVALUATION FOR GE HITACHI NUCLEAR ENERGY
AMERICAS TOPICAL REPORT NEDE-33284P, SUPPLEMENT 1,
“MARATHON-ULTRA CONTROL ROD ASSEMBLY” (TAC NO. ME3524)

Dear Mr. Head:

By letter dated January 29, 2010, (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML100331610), GE Hitachi Nuclear Energy Americas, LLC (GEH) submitted Topical Report (TR) NEDE-33284P, Supplement 1, “Marathon-Ultra Control Rod Assembly,” to the U.S. Nuclear Regulatory Commission (NRC) staff. By letter dated February 3, 2012, an NRC draft safety evaluation (SE) regarding our approval of NEDE-33284P, Supplement 1, was provided for your review and comment. By letter dated February 6, 2012, GEH responded, but found no factual errors or clarity concerns in the draft SE.

The NRC staff has found that NEDE-33284P, Supplement 1, is acceptable for referencing in licensing applications for GEH designed boiling water reactors to the extent specified and under the limitations delineated in the TR and in the enclosed final SE. The final SE defines the basis for our acceptance of the TR.

Our acceptance applies only to material provided in the subject TR. We do not intend to repeat our review of the acceptable material described in the TR. When the TR appears as a reference in license applications, our review will ensure that the material presented applies to the specific plant involved. License amendment requests that deviate from this TR will be subject to a plant-specific review in accordance with applicable review standards.

In accordance with the guidance provided on the NRC website, we request that GEH publish accepted proprietary and non-proprietary versions of this TR within three months of receipt of this letter. The accepted versions shall incorporate this letter and the enclosed final SE after the title page. Also, they must contain historical review information, including NRC requests for additional information and your responses. The accepted versions shall include an “-A” (designating accepted) following the TR identification symbol.

Enclosure 1 and its Attachment transmitted herewith contain proprietary information. When separated from Enclosure 1 and its Attachment, this document is decontrolled.

J. Head

- 2 -

As an alternative to including the RAIs and RAI responses behind the title page, if changes to the TR were provided to the NRC staff to support the resolution of RAI responses, and the NRC staff reviewed and approved those changes as described in the RAI responses, there are two ways that the accepted version can capture the RAIs:

1. The RAIs and RAI responses can be included as an Appendix to the accepted version.
2. The RAIs and RAI responses can be captured in the form of a table (inserted after the final SE) which summarizes the changes as shown in the approved version of the TR. The table should reference the specific RAIs and RAI responses which resulted in any changes, as shown in the accepted version of the TR.

If future changes to the NRC's regulatory requirements affect the acceptability of this TR, GEH and/or licensees referencing it will be expected to revise the TR appropriately, or justify its continued applicability for subsequent referencing.

Sincerely,

/RA/

Robert A. Nelson, Deputy Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Project No. 710

Enclosures:

1. Proprietary Final SE with Proprietary Attachment
2. Non-Proprietary Final SE with Non-Proprietary Attachment

cc w/encl 2 only: See next page

J. Head

- 2 -

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ADAMS Accession Nos.:

PUBLIC documents:

Package: ML120370633
Cover letter: ML120370620
Final SE (Non-Proprietary): ML120380180
Attachment (Non-Proprietary): ML120380234

NON-PUBLIC documents:

Final SE (Proprietary): ML120370627
Attachment (Proprietary): ML120370631

***From Draft SE - no significant changes**

NRR-043

OFFICE	PLPB/PM	PLPB/LA	SNPB/BC	NRO/BC	PLPB/BC	DPR/DD
NAME	SPhilpott	DBaxley	AMendiola*	JDonoghue*	JJolicoeur	RNelson
DATE	2/13/2012	2/13/2012	1/31/2012	2/3/2012	2/14/2012	2/16/2012

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GE-Hitachi Nuclear Energy Americas
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Project No. 710

Mr. James F. Harrison
GE-Hitachi Nuclear Energy Americas, LLC
Vice President - Fuel Licensing
P.O. Box 780, M/C A-55
Wilmington, NC 28401-0780
james.harrison@ge.com

Ms. Patricia L. Campbell
Vice President, Washington Regulatory Affairs
GE-Hitachi Nuclear Energy Americas LLC
1299 Pennsylvania Avenue, NW
9th Floor
Washington, DC 20004
patriciaL.campbell@ge.com

Mr. Andrew A. Lingenfelter
Vice President, Fuel Engineering
Global Nuclear Fuel-Americas, LLC
P.O. Box 780, M/C A-55
Wilmington, NC 28401-0780
Andy.Lingenfelter@gnf.com

Edward D. Schrull
GE-Hitachi Nuclear Energy Americas LLC
Vice President - Services Licensing
P.O. Box 780, M/C A-51
Wilmington, NC 28401-0780
Edward.schrull@ge.com