



MITSUBISHI HEAVY INDUSTRIES, LTD.

16-5, KONAN 2-CHOME, MINATO-KU
TOKYO, JAPAN

January 26, 2007

Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Attention: Mr. David B. Matthews

Project No.0751
MHI Ref: UAP-HF-07004

Subject: US-APWR Advanced Accumulator Topical Report

With this letter, Mitsubishi Heavy Industries, LTD. (MHI) transmits to the U.S. Nuclear Regulatory Committee (NRC) a copy of the topical report entitled "The Advanced Accumulator" for review and approval. As indicated in the enclosed materials, the topical report contains information that MHI considers proprietary, and therefore should be withheld from disclosure pursuant to 10 C.F.R. § 2.390 (a)(4) and 10 CFR § 9.17(a)(4) as trade secrets and commercial or financial information which is privileged or confidential. A non-proprietary version of the topical report will also be submitted following agreement between the NRC and MHI on the information considered to be proprietary. In the non-proprietary version, the information in brackets will be redacted and replaced by the 10CFR 2.390 paragraph number (a)(4) identifying the rationale for non-disclosure.

In accordance with the NRC submittal procedures for topical reports, this letter includes a copy of the proprietary version (Enclosure 2) and the Affidavit of Masahiko Kaneda (Enclosure 1) which identifies the reasons MHI respectfully requests that all materials designated as "Proprietary" in Enclosure 2 be withheld from disclosure pursuant to 10 C.F.R. § 2.390 (a)(4) and 10 CFR § 9.17(a)(4).

Please contact Dr. C. Keith Paulson, Senior Technical Manager, Mitsubishi Nuclear Energy Systems, Inc. if the NRC has questions concerning any aspect of the submittals. His contact information is below.

Sincerely,

Masahiko Kaneda,
General Manager- APWR Promoting Department
Mitsubishi Heavy Industries, LTD.

Enclosures:

- Enclosure 1 - Affidavit of Masahiko Kaneda (non-proprietary)
- Enclosure 2 -The Advanced Accumulator (proprietary) (MUAP-07001-P, Rev.0)

2079

Add: Stephen Monargue

CC: S. R. Monarque
L. J. Burkhart
C. K. Paulson

Contact Information

C. Keith Paulson, Senior Technical Manager
Mitsubishi Nuclear Energy Systems, Inc.
4350 Northern Pike, Suite 301
Monroeville, PA 15146
E-mail: ckpaulson@aol.com
Telephone: (412) 374 - 4063

MITSUBISHI HEAVY INDUSTRIES, LTD.

AFFIDAVIT

I, Masahiko Kaneda, state as follows:

1. I am General Manager, APWR Promoting Department, of Mitsubishi Heavy Industries, LTD ("MHI"), and have been delegated the function of reviewing MHI's US-APWR documentation to determine whether it contains information that should be withheld from disclosure pursuant to 10 C.F.R. § 2.390 (a)(4) and 10 CFR § 9.17(a)(4) as trade secrets and commercial or financial information which is privileged or confidential.
2. In accordance with my responsibilities, I have reviewed the enclosed topical report dated January 26, 2007, entitled "The Advanced Accumulator," and have determined that portions of the report contain proprietary information that should be withheld from public disclosure. The information considered proprietary is identified with an open and closed bracket as shown here "[]". A copy of the topical report, so labeled, is enclosed.
3. The information identified as proprietary by MHI has in the past been, and will continue to be, held in confidence by MHI and its disclosure outside the company is limited to regulatory bodies, customers and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and is always subject to suitable measures to protect it from unauthorized use or disclosure.
4. The basis for holding the referenced information confidential is that it describes the unique design of the advanced accumulator, developed by MHI and not used in the exact form by any of MHI's competitors. The information was developed at significant cost to MHI, since it required the performance of detailed design calculations, analyses and testing extending over several years.
5. The referenced information is being furnished to the Nuclear Regulatory Commission ("NRC") in confidence and solely for the purpose of supporting the NRC staff's review of the topical report.
6. The referenced information is not available in public sources and could not be gathered readily from other publicly available information. MHI knows of no way the information could be lawfully acquired by organizations or individuals outside of MHI.
7. Public disclosure of the referenced information would assist competitors of MHI in their design of new nuclear power plants without incurring the costs or risks associated with the design and testing of the subject systems. Therefore, disclosure of the information identified as proprietary would have the following negative impacts on the competitive position of MHI in the U.S. nuclear plant market.

- A. Loss of competitive advantage due to the costs associated with development and testing of the Advanced Accumulator. Providing public access to such information permits competitors to duplicate or mimic the Advanced Accumulator design without incurring the associated costs.
- B. Loss of competitive advantage of the US-APWR created by benefits of enhanced plant safety, and reduced operation and maintenance costs associated with the Advanced Accumulator.

I declare under penalty of perjury that the foregoing affidavit and the matters stated therein are true and correct to the best of my knowledge, information and belief.

Executed on this 26th day of January 2007.



Masahiko Kaneda,
General Manager- APWR Promoting Department
Mitsubishi Heavy Industries, LTD.

Enclosure 2

MHI Topical Report: MUAP-07001-P, Rev.0

**The Advanced Accumulator, January 2007
(Proprietary Version)**

[Important Notice]

This is a topical report contains the proprietary information of Mitsubishi Heavy Industries, LTD (MHI). MHI requests that the NRC withhold this information from public disclosure. Those pages containing proprietary information are identified with an open and closed bracket as shown here "[]".

The identifications (bracket) in the topical report also indicates that all information identified as "Proprietary" should be withheld from public disclosure pursuant to 10 C.F.R. § 2.390 (a)(4).