



MITSUBISHI HEAVY INDUSTRIES, LTD.

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TOKYO, JAPAN

March 2, 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-07026

Subject: Safety System Digital Platform -MELTAC- Topical Report

With this letter, Mitsubishi Heavy Industries, LTD. (MHI) transmits to the U.S. Nuclear Regulatory Commission (NRC) the topical report entitled "Safety System Digital Platform -MELTAC-" (Topical Report) for review and approval. MHI seeks NRC approval of this document for reference in the US-APWR design control document ("DCD") and ultimately for reference in License Amendment Requests for operating plants.

As indicated in the enclosed materials, the Topical Report contains information that MHI and Mitsubishi Electric Corporation (MELCO) considers proprietary, and therefore the entire Topical Report 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 or commercial / financial information which is privileged or confidential. In the non-proprietary version (Enclosure 3), the proprietary information, bracketed in the proprietary document (Enclosure 2), is replaced by the rationale for non-disclosure.

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

As explained at the 3rd PAR meeting, November 28, 2006, this Topical Report provides significant detail to ensure that the use of design acceptance criteria ("DAC") is minimized for I&C systems. Therefore MHI requests a meeting in April 2007 to allow interaction with the staff that will help avoid any misunderstandings that could lead to delays in the approval process. MHI also invites the NRC to visit MHI's facilities (including MELCO's facilities) in Japan as early as possible to better understand Mitsubishi fully digitalized I&C.

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

Sincerely,

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

Add: Stephen Monarque

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Enclosures:

- Enclosure 1 - Affidavit of Masahiko Kaneda (non-proprietary)**
- Enclosure 2 -Safety System Digital Platform -MELTAC- (proprietary)
(MUAP-07005-P, Rev0)**
- Enclosure 3 -Safety System Digital Platform -MELTAC- (non-proprietary)
(MUAP-07005-NP, Rev0)**

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

Contact Information

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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 March 2, 2007, entitled "Safety System Digital Platform -MELTAC-", and have determined that the entire report contains proprietary information that should be withheld from public disclosure. Accordingly, the first page of the topical report has been marked to indicate that the entire topical report should be withheld from public disclosure pursuant to 10 C.F.R. § 2.390 (a)(4).
3. The information contained in the enclosed topical report has in the past been, and will continue to be, held in confidence by MHI and Mitsubishi Electric Corporation (MELCO) 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 topical report confidential is that it describes the unique design of the digital platform "MELTAC", developed by MHI and MELCO and not used in the exact form by any of MHI's and MELCO's competitors. This information was developed at significant cost to MHI and MELCO, since it required the performance of detailed design calculations, analyses, software and hardware manufacturing and testing extending over several years.
5. The referenced topical report 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 information contained in the referenced topical report is not available in public sources and could not be gathered readily from other publicly available information. MHI and MELCO know of no way the information could be lawfully acquired by organizations or individuals outside of MHI and MELCO.
7. Public disclosure of the information contained in the referenced topical report would assist competitors of MHI and MELCO 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 contained in the referenced topical report would have the following negative impacts on the competitive position of MHI and MELCO in the

U.S. nuclear plant market.

- A. Loss of competitive advantage due to the costs associated with development and testing of the MELTAC. Providing public access to such information permits competitors to duplicate or mimic the MELTAC 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 MELTAC.**

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 2nd day of March 2007.



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

Enclosure 2

MHI Topical Report: MUAP-07005-P, Rev.0

**Safety System Digital Platform -MELTAC-, March 2007
(Proprietary Version)**

[Important Notice]

This topical report contains proprietary information of Mitsubishi Heavy Industries, LTD (MHI) and Mitsubishi Electric Corporation (MELCO). MHI requests that the NRC withhold this information from public disclosure.

Accordingly, the first page of the report indicates that the entire topical report should be withheld from public disclosure pursuant to 10 C.F.R. § 2.390 (a)(4).

Enclosure 3

MHI Topical Report: MUAP-07005-NP, Rev.0

**Safety System Digital Platform -MELTAC-, March 2007
(Non-proprietary Version)**

This is a non-proprietary version of MHI Topical Report, MUAP-07005-NP, Rev.0, with all proprietary information removed.

Portions of the report where proprietary information has been removed are identified by the designation "[]".