

January 2, 2008

Mr. Masahiko Kaneda, General Manager  
APWR Promoting Department  
Mitsubishi Heavy Industries, Ltd.  
16-5, Konan 2-Chome, Minato-Ku  
Tokyo, 108-8215 JAPAN

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
FOR US-APWR TOPICAL REPORT MUAP-07024-P, "QUALIFICATION AND  
TEST PLAN OF CLASS 1E GAS TURBINE GENERATOR SYSTEM"

Dear Mr. Kaneda:

By letter and associated affidavit dated December 5, 2007, (U.S. Nuclear Regulatory Commission's (NRC) Agencywide Documents Access and Management System (ADAMS)) Accession No. ML073450617), you submitted a proprietary document MUAP-07024-P, "Qualification and Test Plan of Class 1E Gas Turbine Generator System," to the NRC staff. Your letter requested that this document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the ADAMS Public Electronic Reading Room (ML073450622).

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

- A. Loss of competitive advantage due to the costs associated with development of the class 1E gas turbine generator. Providing public access to such information permits competitors to duplicate or mimic the technology 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 class 1E gas turbine generator.

We have reviewed your application and the materials in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the versions of 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 documents. 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.

M. Kaneda

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If the basis for withholding this information from public inspection should change in the future, such that the information could then be available for public inspection, you should promptly notify the NRC. You also should 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) 415-1626.

Sincerely,

**/RA/**

Bryce Lehman, Project Manager  
US-APWR Project Branch (NMIP)  
Division of New Reactor Licensing  
Office of New Reactors

Project No. 0751

cc: See next page

M. Kaneda

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Bryce Lehman, Project Manager  
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Division of New Reactor Licensing  
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cc:

Ms. Michele Boyd  
Legislative Director  
Energy Program  
Public Citizens Critical Mass Energy  
and Environmental Program  
215 Pennsylvania Avenue, SE  
Washington, DC 20003

Mr. Ernest Reed  
Living Education Center  
for Ecology and the Arts  
P.O. Box 2612  
Charlottesville, VA 22902

W. Craig Conklin, Director  
Chemical and Nuclear Preparedness &  
Protection Division (CNPPD)  
Office of Infrastructure Protection  
Department of Homeland Security  
Washington, DC 20528

Mr. Marvin Fertel  
Senior Vice President  
and Chief Nuclear Officer  
Nuclear Energy Institute  
1776 I Street, NW  
Suite 400  
Washington, DC 20006-3708

Dr. C. Keith Paulson  
Mitsubishi Nuclear Energy Systems, Inc.  
300 Oxford Drive, Suite 301  
Monroeville, PA 15146

Vanessa E. Quinn, Acting Director  
Technological Hazards Division  
National Preparedness Directorate  
Federal Emergency Management Agency  
500 C Street, NW  
Washington, DC 20472

Email

APH@NEI.org (Adrian Heymer)  
awc@nei.org (Anne W. Cottingham)  
bennettS2@bv.com (Steve A. Bennett)  
bob.brown@ge.com (Robert E. Brown)  
BrinkmCB@westinghouse.com (Charles Brinkman)  
chris.maslak@ge.com (Chris Maslak)  
ck\_paulson@mnes-us.com (C Keith Paulson)  
CumminWE@Westinghouse.com (Edward W. Cummins)  
cwaltman@roe.com (C. Waltman)  
david.lewis@pillsburylaw.com (David Lewis)  
Dennis.Buschbaum@txu.com (Denny Buschbaum)  
dlochbaum@UCSUSA.org (David Lochbaum)  
dwoodla1@txu.com (Donald Woodlan)  
frankq@hursttech.com (Frank Quinn)  
greshaja@westinghouse.com (James Gresham)  
gzinke@entergy.com (George Alan Zinke)  
JAC3@nrc.gov (Jeff Ciocco)  
jgutierrez@morganlewis.com (Jay M. Gutierrez)  
jim.riccio@wdc.greenpeace.org (James Riccio)  
JJNesrsta@cpsenergy.com (James J. Nesrsta)  
john.o'neil@pillsburylaw.com (John O'Neil)  
Joseph.savage@ge.com (Joseph Savage)  
Joseph\_Hegner@dom.com (Joseph Hegner)  
junichi\_uchiyama@mnes-us.com (Junichi Uchiyama)  
KSutton@morganlewis.com (Kathryn M. Sutton)  
kwaugh@impact-net.org (Kenneth O. Waugh)  
Margaret.Bennet@dom.com (Margaret Bennet)  
maria.webb@pillsburylaw.com (Maria Webb)  
mark.beaumont@wsms.com (Mark Beaumont)  
masahiko\_kaneda@mhi.co.jp (Masahiko Kaneda)  
masanori\_onozuka@mnes-us.com (Masanori Onozuka)  
masayuki\_kambara@mhi.co.jp (Masayuki Kambara)  
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)  
media@nei.org (Scott Peterson)  
mike\_moran@fpl.com (Mike Moran)  
nirsnet@nirs.org (Michael Mariotte)  
patriciaL.campbell@ge.com (Patricia L. Campbell)  
paul.gaukler@pillsburylaw.com (Paul Gaukler)  
Paul@beyondnuclear.org (Paul Gunter)  
phinnen@entergy.com (Paul Hinnenkamp)  
pshastings@duke-energy.com (Peter Hastings)  
RJB@NEI.org (Russell Bell)  
RKTemple@cpsenergy.com (R.K. Temple)  
roberta.swain@ge.com (Roberta Swain)  
ronald.hagen@eia.doe.gov (Ronald Hagen)  
sandra.sloan@areva.com (Sandra Sloan)  
sfrantz@morganlewis.com (Stephen P. Frantz)

shinji\_kawanago@mnes-us.com (Shinji Kawanago)  
VictorB@bv.com (Bill Victor)  
waraksre@westinghouse.com (Rosemarie E. Waraks)  
wayne.marquino@ge.com (Wayne Marquino)