



MITSUBISHI HEAVY INDUSTRIES, LTD.
16-5, KONAN 2-CHOME, MINATO-KU
TOKYO, JAPAN

March 31, 2008

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

Attention: Mr. Jeffrey A. Ciocco

Project No.0751
MHI Ref: UAP-HF-08061

Subject: Transmittal of the Technical Report "US-APWR Probabilistic Risk Assessment (Level 3)" (MUAP-08004)

With this letter, Mitsubishi Heavy Industries, Ltd. (MHI) transmits to the U.S. Nuclear Regulatory Commission (NRC) the technical report "US-APWR Probabilistic Risk Assessment (Level 3)". This Report supplements the materials provided in the "Design Control Document for the US-APWR" ("DCD"), and closes out the open item in Subsection 19.3.1 of the DCD. The Report is being submitted electronically in compact discs (CDs). Submittal of the enclosed technical report was one of the commitments made at the time MHI filed its application for NRC certification of the US-APWR design. See December 31, 2007 letter to RC (MHI: Ref UAP-HF-07170), Enclosure 2

The enclosed report contains information that MHI considers proprietary, and therefore the report should be withheld from disclosure pursuant to 10 C.F.R. § 2.390 (a)(4) and 10 C.F.R. § 9.17(a)(4) as trade secrets and commercial or financial information which is privileged or confidential. In accordance with the NRC submittal procedures, this letter includes an Affidavit that identifies the reasons why the full Report should be withheld from disclosure pursuant to 10 C.F.R. § 2.390 (a)(4) and 10 C.F.R. § 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 this submittal. His contact information is provided below.

Sincerely,



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

DOB
NRO

Enclosures:

1. Affidavit of Masahiko Kaneda
2. CD 1: "Probabilistic Risk Assessment (Level 3)
- Non public (Containing proprietary information)

The files contained in each CD are listed in Attachments 1.

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

Contact Information

C. Keith Paulson, Senior Technical Manager
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Telephone: (412) 373 – 6466

ENCLOSURE 1

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

In the Matter of)
MITSUBISHI HEAVY INDUSTRIES, LTD.)
US-APWR)
Standard Plant Design Certification Application)
)

AFFIDAVIT OF MASAHIKO KANEDA

I, Masahiko Kaneda, being duly sworn according to law, depose and 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 C.F.R. § 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 "US-APWR Probabilistic Risk Assessment (Level 3)" and have determined that portions of the report contain proprietary information that should be withheld from public disclosure.
3. The information in the report 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 and uses the unique approach developed by MHI for performing the probabilistic risk assessment for the US-APWR standard design of the US-APWR reactor. That approach was developed at significant cost to MHI. 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.
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 MHI's Application for certification of its US-APWR Standard Plant Design.
6. Public disclosure of the referenced information would assist competitors of MHI in their evaluation of new nuclear power plants without the costs or risks. Disclosure of the information identified as proprietary would therefore have negative impacts on the competitive position of MHI in the U.S. nuclear plant market.

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 31th day of March, 2008.

A handwritten signature in cursive script, appearing to read "M. Kaneda".

Masahiko Kaneda

ATTACHMENT 1

FILES CONTAINED IN CD 1

**CD 1: "Probabilistic Risk Assessment (Level 3)"
– Non public (Containing proprietary information)**

Contents of CD

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
001 PRA Level 3-P.pdf	1.7MB	Proprietary