

  
**MITSUBISHI HEAVY INDUSTRIES, LTD.**  
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TOKYO, JAPAN

August 5, 2008

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

Attention: Mr. Jeffrey A. Ciocco

Docket No: 52-021  
MHI Ref: UAP-HF-08133

**Subject: Revision 2 of the Topical Report MUAP-07005-P "Safety System Digital Platform - MELTAC"**


**References:** 1) Letter from U.S.NRC to K.Paulson (MNES),  
REVIEW OF TOPICAL REPORTS RELATED TO THE US-APWR DIGITAL  
INSTRUMENTATION AND CONTROLS: MUAP-07004-P, REVISION 1,  
"SAFETY INSTRUMENTATION AND CONTROLS SYSTEM  
DESCRIPTION AND DESIGN PROCESS," AND MUAP-07005-P,  
REVISION 1, "SAFETY SYSTEM DIGITAL PLATFORM-MELTAC",  
dated May 21, 2008. (ML081220719)

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") revision 2 of the topical report entitled "Safety System Digital Platform -MELTAC- Revision 2 " which was previously submitted in July 2007, as revision 1, and has been revised herein in response to comments from NRC staff contained in Reference 1 . As indicated in the enclosed materials, the topical report contains information that MHI and Mitsubishi Electric Corporation ("MELCO") consider 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 is also being submitted with the information identified as proprietary redacted and replaced by the destination "[ ]".

In accordance with the NRC submittal procedures, this letter includes a copy of the proprietary version (Enclosure 2), the non-proprietary version (Enclosure 3) and Affidavit of Yoshiki Ogata (Enclosure 1) which identifies the reason 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 this submittal. His contact information is provided below.

Sincerely,

  
Yosjiki Ogata,  
General Manager- APWR Promoting Department  
Mitsubishi Heavy Industries, LTD.

D081  
NRO

Enclosures:

1. Affidavit of Yoshiki Ogata
2. CD 1: MELTAC "Safety System Digital Platform – MELTAC- (MUAP-07005-P Rev.2)  
- Version that contains proprietary information
3. CD 2: MELTAC "Safety System Digital Platform – MELTAC- (MUAP-07005-NP Rev.2)  
- Version that does not contain proprietary information

The files contained in the CD's are listed in Attachment 1 and 2.

CC: J. A. Ciocco  
C. K. Paulson

Contact Information

C. Keith Paulson, Senior Technical Manager  
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**MITSUBISHI HEAVY INDUSTRIES, LTD.**

**AFFIDAVIT**

I, Yoshiki Ogata, state as follows:

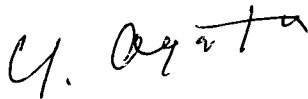
1. I am General Manager, APWR Promoting Department, of Mitsubishi Heavy Industries, Ltd ("MHI"), and have been delegated the function of reviewing MHI's US-APWR documentation to determine whether it contains information that should be withheld from disclosure pursuant to 10 C.F.R. § 2.390 (a)(4) and 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 August 5, 2008, entitled "Safety System Digital Platform - MELTAC- Revision 2" and have determined that portions of the report contain proprietary information that should be withheld from public disclosure. Those pages containing proprietary information are identified with label "Proprietary" on the top of the page and proprietary information has been bracketed with an open and closed bracket as shown here "[ ]". The first page of the topical report indicates that all information identified as "Proprietary" should be withheld from public disclosure pursuant to 10 C.F.R. § 2.390 (a)(4).
3. The information identified as proprietary 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, and 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 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 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 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. Other than through the provision in paragraph 3 above, MHI and MELCO know of no way the information could be lawfully acquired by organization or individuals outside of MHI and MELCO.
7. Public disclosure of the referenced information 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 of the subject systems. Therefore, disclosure of the referenced information contained in the reference 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 5th day of August, 2008.



Yoshiaki Ogata,  
General Manager- APWR Promoting Department  
Mitsubishi Heavy Industries, LTD.

**ATTACHMENT 1**

**FILES CONTAINED IN CD 1**

**CD 1: "Topical Report MUAP-07005-P(R2) Safety System Digital Platform –MELTAC-"  
– Version that contains proprietary information**

Contents of CD

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
001_MELTAC_R2(Proprietary).pdf	6.4MB	Proprietary

**ATTACHMENT 2**

**FILES CONTAINED IN CD 2**

**CD 2: MELTAC "Safety System Digital Platform – MELTAC – (MUAP-07005-NP Rev.2)  
– Version that does not contain proprietary information**

Contents of CD

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
001_MELTAC_R2(Non-proprietary).pdf	1.5MB	Non-Proprietary