

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

August 29, 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-08166

**Subject: Submittal of Technical Report "US-APWR Cyber Security Program" (MUAP-08003) in Support of the US-APWR Design Certification Application**

**Reference:** 1) Letter MHI Ref: UAP-HF-07170 from M. Kaneda (MHI) to U.S. NRC, "Mitsubishi Heavy Industries, Ltd. Application for Design Certification of the US-APWR Standard Plant Design," dated December 31, 2007.

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") its technical report entitled "US-APWR Cyber Security Program (MUAP-08003)". This Report supplements the materials provided in the "Design Control Document for the US-APWR" ("DCD"), and is incorporated by reference in Section 7.9, Chapter 7 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 in Enclosure 2 of Reference 1.

As indicated in the enclosed materials, this document contains information that MHI considers proprietary, and therefore should be withheld from public disclosure pursuant to 10 CFR § 2.390 (a)(4) as trade secrets and commercial or financial information which is privileged or confidential. A non-proprietary version of the document is also being submitted with the information identified as proprietary redacted and replaced by the designation "{ }".

And one version includes certain information, designated pursuant to the Commission guidance as sensitive unclassified non-safeguards information, referred to as security-related information ("SRI"), that is to be withheld from public disclosure under 10 CFR § 2.390. The information that is SRI is identified by braces "[ ]". On the other hand, another version omits the SRI and is suitable for public disclosure. In the public version of the DCD, the SRI is replaced by the designation "[Security Related Information - Withheld Under 10 CFR 2.390]".

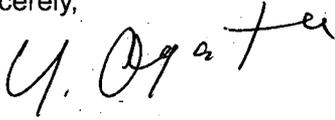
This letter includes a copy of the proprietary and SRI included version (Enclosure 2), a copy of the non-proprietary and SRI excluded version (Enclosure 3), and the Affidavit of Yoshiki Ogata (Enclosure 1) which identifies the reasons MHI respectfully requests that all materials designated as "Proprietary" in Enclosure 2 be withheld from public disclosure pursuant to 10 CFR § 2.390 (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

*DO NOT  
PUBLIC CD  
ON HOLD*

information is below.

Sincerely,



Yoshiki Ogata,  
General Manager- APWR Promoting Department  
Mitsubishi Heavy Industries, LTD.  
Enclosures:

1. Affidavit of Yoshiki Ogata
2. CD 1: "US-APWR Cyber Security Program" (proprietary and SRI included version)
3. CD 2: "US-APWR Cyber Security Program" (non-proprietary and SRI excluded version)

The files contained in each CD are listed in Attachment 1 and 2 hereto.

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

Contact Information

C. Keith Paulson, Senior Technical Manager  
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## Enclosure 1

Docket No. 52-021  
MHI Ref: UAP-HF-08166

### MITSUBISHI HEAVY INDUSTRIES, LTD.

#### AFFIDAVIT

I, Yoshiki Ogata, state as follows:

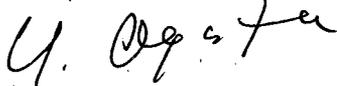
1. I am General Manager, APWR Promoting Department, of Mitsubishi Heavy Industries, LTD ("MHI"), and have been delegated the function of reviewing MHI's US-APWR documentation to determine whether it contains information that should be withheld from public disclosure pursuant to 10 CFR § 2.390 (a)(4) as trade secrets and commercial or financial information which is privileged or confidential.
2. In accordance with my responsibilities, I have reviewed the enclosed document entitled "US-APWR Cyber Security Program" dated August, 2008, and have determined that portions of the document contain proprietary information that should be withheld from public disclosure. Those pages containing proprietary information are identified with the label "Proprietary" on the top of the page and the proprietary information has been bracketed with an open and closed bracket as shown here "{ }". The first page of the document indicates that all information identified as "Proprietary" should be withheld from public disclosure pursuant to 10 CFR § 2.390 (a)(4).
3. The information identified as proprietary in the enclosed document 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 computer system for various functions at nuclear power plants including digital instrumentation and control systems, developed by MHI and not used in the exact form by any of MHI's competitors. This information was developed at significant cost to MHI, since it required the performance of research and development and the performance of detailed hardware design and software development 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 information to the NRC staff.
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 provisions in paragraph 3 above, 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 of the subject systems. Therefore, disclosure of the information contained in the referenced document 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 of the digital instrumentation and control systems. Providing public access to such information permits competitors to duplicate or mimic the methodology 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 digital instrumentation and control systems.

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 29th day of August, 2008.



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

**ATTACHMENT 1**

**FILES CONTAINED IN CD 1**

CD 1: "US-APWR Cyber Security Program" (proprietary and SRI included version)

**Contents of CD 1**

<b><u>File Name</u></b>	<b><u>Size</u></b>	<b><u>Sensitivity Level</u></b>
MUAP-08003-P(R0).pdf	0.5MB	Proprietary

**ATTACHMENT 2**

**FILES CONTAINED IN CD 2**

CD 2: "US-APWR Cyber Security Program" (non-proprietary and SRI excluded version)

Contents of CD 2

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
MUAP-08003-NP(R0).pdf	0.2MB	Non-Proprietary