

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

October 7, 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-08186

**Subject: MHI's Response to NRC's Request for Additional Information on "Design Data for TRACE and MELCOR Input Deck Development"**

- References:**
- 1) "Design Data for TRACE and MELCOR Input Deck Development," dated September 8, 2008.
  - 2) "REQUEST FOR ADDITIONAL INFORMATION RES TRACE," dated July 9, 2008.
  - 3) Letter MHI Ref: UAP-HF-08143 from Y. Ogata (MHI) to U.S. NRC, "MHI's Response to NRC's Request for Additional Information on 'Design Data for TRACE Input Deck Preparation by ERI,'" dated August 8, 2008.
  - 4) "REQUEST FOR ADDITIONAL INFORMATION RES TRACE No. 2," dated August 12, 2008.
  - 5) Letter MHI Ref: UAP-HF-08178 from Y. Ogata (MHI) to U.S. NRC, "Additional MHI Responses to NRC's Request for Additional Information on 'Design Data for TRACE Input Deck Preparation by ERI,' Revision 1," dated September 8, 2008.

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") a response entitled "MHI's Response to NRC's Request for Additional Information on 'Design Data for TRACE and MELCOR Input Deck Development'". The request for additional information ("RAI"), dated September 8, 2008 (Reference 1), represents the third RES Branch RAI to develop TRACE and MELCOR models of the US-APWR. (See References 2 through 5, which are associated with the previous NRC requests and corresponding MHI responses.) The information in this response is only meant to address the five items requested in Reference 1. The complete set of information for the TRACE and MELCOR input deck development will be obtained from the combination of this response and the response previously provided in Reference 5.

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 C.F.R. § 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 in this package (Enclosure 3). In the non-proprietary version, the proprietary information, bracketed in the proprietary version, is 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

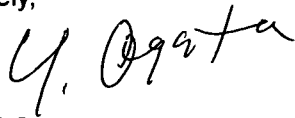
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omits the SRI and is suitable for public disclosure. In the public version of the DCD, the SRI is replaced by the designation "{Security-Related Information - Withheld Under 10 CFR § 2.390}".

This letter includes a copy of the proprietary version (Enclosure 2), a copy of non-proprietary 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 C.F.R. § 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 this submittal. His contact information is provided below.

Sincerely,



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

Enclosures:

1. Affidavit of Yoshiki Ogata
2. MHI's Response to NRC's Request for Additional Information on "Design Data for TRACE and MELCOR Input Deck Development" (proprietary)
3. MHI's Response to NRC's Request for Additional Information on "Design Data for TRACE and MELCOR Input Deck Development" (non-proprietary)

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

Contact Information

C. Keith Paulson, Senior Technical Manager  
Mitsubishi Nuclear Energy Systems, Inc.  
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## ENCLOSURE 1

Docket No.52-021  
MHI Ref: UAP-HF-08186

### MITSUBISHI HEAVY INDUSTRIES, LTD.

#### AFFIDAVIT

I, Yoshiki Ogata, 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) as trade secrets and commercial or financial information which is privileged or confidential.
2. In accordance with my responsibilities, I have reviewed the enclosed "MHI's Response to NRC's Request for Additional Information on 'Design Data for TRACE and MELCOR Input Deck Development'" 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 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 technical 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 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 the unique codes and files developed by MHI for the fuel of the US-APWR and also contains information provided to MHI under license from the Japanese Government. These codes and files were developed at significant cost to MHI, since they required the performance of detailed calculations, analyses, and testing extending over several years. 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 and the Japanese Government.
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 design of new nuclear power plants without the costs or risks associated with the design of new fuel systems and components. 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 7<sup>th</sup> day of October, 2008.

A handwritten signature in black ink, appearing to read "Y. Ogata". The signature is written in a cursive style with a large initial "Y" and a long, sweeping tail.

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