



MITSUBISHI HEAVY INDUSTRIES, LTD.

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TOKYO, JAPAN

September 22, 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-08205

Subject: Revision 2 of the Topical Report MUAP-07001-P "The Advanced Accumulator"

With this letter, Mitsubishi Heavy Industries, LTD. (MHI) transmits to the U.S. Nuclear Regulatory Commission (NRC) a copy of the revision 2 of the topical report entitled "The Advanced Accumulator (MUAP-07001 Revision 2)" which was previously submitted in March 2007, as revision 1 and has been revised in response to comments from the NRC staff.

As indicated in the enclosed materials, the topical report contains information that MHI considers proprietary, and therefore 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. A non-proprietary version of the topical report is also being submitted with the information identified as proprietary redacted and replaced by the designation "[]".

In accordance with the NRC submittal procedures for topical reports, this letter includes a copy of the proprietary version (Enclosure 2), the 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 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 the submittals. His contact information is below.

Sincerely,

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

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MRW

Enclosures:

- Enclosure 1 - Affidavit of Yoshiki Ogata
- Enclosure 2 –CD: 1 "The Advanced Accumulator" (MUAP-07001-P, Rev.2)
 - Version that contains proprietary information
- Enclosure 3 –CD: 2 "The Advanced Accumulator" (MUAP-07001-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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ENCLOSURE 1

Docket No. 52-021
MHI Ref: UAP-HF-08205

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) 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 September 22, 2008, entitled "The Advanced Accumulator" 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 the 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 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 design of the Advanced Accumulator, developed by MHI and not used in the exact form by any of MHI's competitors. The information was developed at significant cost to MHI, since it required the performance of detailed design calculations, analyses 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. 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 and testing of the subject systems. Therefore, disclosure of the information identified as proprietary 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 and testing of the Advanced Accumulator. Providing public access to such information permits competitors to duplicate or mimic the Advanced Accumulator 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 Advanced Accumulator.

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 22nd day of September, 2008.



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

ATTACHMENT 1

FILES CONTAINED IN CD 1

**CD 1: "The Advanced Accumulator" (MUAP-07001-P Revision 2)
– Version containing proprietary information**

Contents of CD

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
ACC TR-P R2 .pdf	60.7 MB	Proprietary
Attachment1(MUAP-07001-P(R2)).pdf	1.1 MB	Proprietary
Attachment2(MUAP-07001-P(R2)).pdf	32.1 MB	Proprietary

ATTACHMENT 2

FILES CONTAINED IN CD 2

**CD 2: "The Advanced Accumulator" (MUAP-07001-NP Revision 2)
– Version that does not contain proprietary information**

Contents of CD

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
ACC TR-P R2_Non-Proprietary.pdf	51.0 MB	Non-proprietary
Attachment1(MUAP-07001-NP(R2)).pdf	5.2 MB	Non-proprietary
Attachment2(MUAP-07001-NP(R2)).pdf	68.6 MB	Non-proprietary