


MITSUBISHI HEAVY INDUSTRIES, LTD.
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TOKYO, JAPAN

June 9, 2009

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-09275

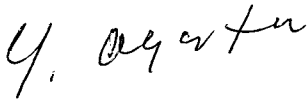
**Subject: MHI's Responses to the Questions at ACRS Subcommittee Meeting on
February 19, 2009**

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") the responses to the questions that have been discussed during the ACRS Subcommittee meeting on February 19, 2009.

Since the ACRS Subcommittee Meeting was held as closed session, the enclosed entire responses include information that MHI considers proprietary, and therefore the responses should be withheld from disclosure pursuant to 10 C.F.R. § 2.390 (a)(4). In accordance with the NRC submittal procedures, this letter includes an Affidavit (Enclosure 1) that identifies the reasons why the proprietary version of the Report should 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 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 Responses to the Questions at ACRS Subcommittee Meeting regarding Non-LOCA
3. MHI's Responses to the Questions at ACRS Subcommittee Meeting regarding Large Break LOCA
4. MHI's Responses to the Questions at ACRS Subcommittee Meeting regarding Small Break LOCA



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

Contact Information

C. Keith Paulson, Senior Technical Manager
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Enclosure 1

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MHI Ref: UAP-HF-09275

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 documents, and have determined that portions of the documents contain proprietary information that should be withheld from public disclosure.
3. The basis for holding the referenced information confidential is that it describes the unique design of the safety analysis, developed by MHI (the "MHI Information").
4. The MHI Information is 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 detailed design for its software and hardware extending over several years. Therefore public disclosure of the materials would adversely affect MHI's competitive position.
5. The referenced information has in the past been, and will continue to be, held in confidence by MHI and is always subject to suitable measures to protect it from unauthorized use or disclosure.
6. The referenced information is not available in public sources and could not be gathered readily from other publicly available information.
7. 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.
8. 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 and testing of new 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 9th day of June, 2009.

Y. Ogata

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