MITSUBISHI HEAVY INDUSTRIES, LTD.
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TOKYO, JAPAN

Original

September 17, 2009

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

Attention: Mr. Jeffery A. Ciocco

Docket No. 52-021
MHI Ref: UAP-HF-09449

Subject: Amended MHI's Response to US-APWR DCD RAI No. 322-1999

References: 1) "Request for Additional Information No. 322-1999 Revision 0, SRP Section: 03.08.03 – Concrete and Steel Internal Structures of Steel or Concrete Containments, Application Section: 3.8.3" dated 4/8/2009.
2) "MHI's Response to US-APWR DCD RAI No.322-1999,UAP-HF-09246,dated 5/21/2009"
3) "MHI's Response to US-APWR DCD RAI No.322-1999,UAP-HF-09278,dated 6/4/2009"

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") a document entitled "Response to Request for Additional Information No. 322-1999 Revision 0."

Enclosed are the responses to questions 3.8.3- 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14and 15 of the RAI (Reference 1).

In the previously transmitted Responses (Reference2, Reference3), MHI committed to add references (English translation) later. Therefore, this amended response includes references (English translation) and combined previously transmitted answers submitted under MHI References 2 and 3.

As indicated in the enclosed materials, this submittal 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 with the information identified as proprietary redacted and replaced by the designation "[ ]".

This letter includes a copy of the proprietary version (Enclosure 2), a copy of 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 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.

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NRO

Sincerely,

Y. Ogata

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

Enclosures:

1. Affidavit of Yoshiki Ogata

2. Amended Response to Request for Additional Information No. 322-1999 (proprietary)

3. Amended Response to Request for Additional Information No. 322-1999 (non-proprietary)

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-09449

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 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 document entitled "Response to Request for Additional Information No. 322-1999, Revision 0 (45-day response)", dated May 2009, and have determined that portions of the document contain proprietary information that should be withheld from public disclosure. Those pages contain 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 C.F.R. § 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 parameters developed by MHI for the RCS components and support structures.

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 the development of the unique design parameters.

B. Loss of competitive advantage of the US-APWR created by the benefits of SC Modules application.

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 17th day of September 2009.

Y. Ogata

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