# MITSUBISHI HEAVY INDUSTRIES, LTD. 16-5, KONAN 2-CHOME, MINATO-KU

TOKYO, JAPAN

September 30, 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-09471

## Subject: Transmittal of Input Decks and Executables for the US-APWR Large Break LOCA Analysis

Mitsubishi Heavy Industries, Ltd. ("MHI") is submitting to the U.S. Nuclear Regulatory Commission ("NRC") input decks and executables for the US-APWR Large Break LOCA analysis (hereby the "Referenced Material") referenced in the "Design Control Document for the US-APWR" ("DCD") and supporting Topical Report "Large Break LOCA Code Applicability Report for US-APWR" (MUAP-07011), submitted to the NRC in support of MHI's US-APWR Design Certification Application ("DCA"). The referenced materials are being submitted electronically in the Optical Storage Media ("OSM") enclosure. The file contained on OSM is listed on the associated enclosure cover sheet.

These files are being furnished to the 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.

This letter includes a copy of the proprietary version (Enclosure 2), and the Affidavit of Yoshiki Ogata (Enclosure 1) which identifies the reasons MHI respectfully requests that the material designated as "Proprietary" in Enclosure 2 be withheld from public disclosure pursuant to 10 C.F.R. § 2.390 (a)(4).

Questions or requests for additional information related to this preliminary report should be directed to Dr. Keith Paulson. Thank you for your attention.

Sincerely,

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

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#### Enclosures:

- 1.
- Affidavit of Yoshiki Ogata OSM: Input Decks and Executables for the US-APWR Large Break LOCA Analysis 2. (Proprietary)

The files contained in this OSM are listed in Attachment 1.

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

**Contact Information** 

C. Keith Paulson, Senior Technical Manager Mitsubishi Nuclear Energy Systems, Inc. 300 Oxford Drive, Suite 301 Monroeville, PA 15146 E-mail: ckpaulson@mnes.com Telephone: (412) 373-6466

#### ENCLOSURE 1

Docket No. 52-021 MHI Ref: UAP-HF-09471

### MITSUBISHI HEAVY INDUSTRIES, LTD. AFFIDAVIT

- I, Yoshiki Ogata, being duly sworn according to law, depose and state as follows:
- 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 document entitled "MHI's LOCA Response to NRC's Requests for Additional Information on Topical Reports MUAP-07010, MUAP-07011, and MUAP-07013" and the enclosed Optical Storage Medium ("OSM") dated September 30, 2009, and have determined that the OSM contains proprietary information that should be withheld from public disclosure. The labels on the OSM have been marked to indicate that the entire contents of the OSM should be withheld from public disclosure pursuant to 10 C.F.R. § 2.390 (a)(4).
- 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.
- 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 30<sup>th</sup> day of September, 2009.

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Yoshiki Ogata

## ATTACHMENT 1

FILES Contained in OSM

# OSM: Input Decks and Executables for the US-APWR Large Break LOCA Analysis (Proprietary)

#### Contents of OSM

File Name	<u>Size</u>	Sensitivity Level
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hotspotdrv.pl	12KB	Proprietary
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runcntl.pl	3KB	Proprietary
version.pl	1KB	Proprietary
wcobratrac_apwr.exe	3672KB	Proprietary
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