

  
**MITSUBISHI HEAVY INDUSTRIES, LTD.**  
16-5, KONAN 2-CHOME, MINATO-KU  
TOKYO, JAPAN

November 26, 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-09537

**Subject: MHI's Responses to US-APWR DCD RAI No. 480-3711 Revision 0**

**Reference:** 1) "Request for Additional Information No. 480-3711 Revision 0, SRP Section: 19 - Probabilistic Risk Assessment and Severe Accident Evaluation, Application Section: SRP Chapter 19," dated October 26, 2009.

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") a document as listed in Enclosures.

Enclosed are the responses to 6 RAIs contained within Reference 1. Of these RAIs, one question #19-\*\*\* (1) includes a commitment of MHI as the related analysis result will be summarized in a technical report and provided to the NRC by the end of March 2010.

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 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 the submittals. His contact information is below.

Sincerely,

*Y. Ogata*

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

DOB  
NRC

Enclosures:

1. Affidavit of Yoshiki Ogata
2. Responses to Request for Additional Information No. 480-3711 Revision 0 (proprietary version)

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

Contact Information

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**ENCLOSURE 1**

Docket No. 52-021  
MHI Ref: UAP-HF-09537

**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 "Responses to Request for Additional Information No.480-3711 Revision 0" dated 25 November 2009, and have determined that whole document content is proprietary information that should be withheld from public disclosure since this transmittal is a private communication between the Nuclear Regulatory Commission ("NRC") and MHI in accordance with the non-public proprietary request for additional information 480-3711.
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 and methodology developed by MHI for performing the design of the US-APWR reactor.
5. The referenced information is being furnished to the 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 development of methodology related to the analysis.

- B. Loss of competitive advantage of the US-APWR created by benefits of modeling information.

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 26<sup>th</sup> day of November 2009.



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