

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

December 25, 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-09574

**Subject: Transmittal of Revision 2 of the Technical Report "US-APWR Probabilistic Risk Assessment" for the US-APWR**

- Reference: 1) Letter MHI Ref: UAP-HF-07188 from M. Kaneda to U.S. NRC "Probabilistic Risk Assessment Report for the US-APWR" dated December 31, 2007  
2) Letter MHI Ref: UAP-HF-08218 from Y. Ogata to U.S. NRC "Transmittal of Revision 1 of the Technical Reports "US-APWR Probabilistic Risk Assessment" and "US-APWR Probabilistic Risk Assessment (Level 3)" for the US-APWR dated September 29, 2008

With this letter, Mitsubishi Heavy Industries, Ltd. (MHI) transmits to the U.S. Nuclear Regulatory Commission (NRC) the revision 2 of technical report entitled "US-APWR Probabilistic Risk Assessment, MUAP-07030" which was previously submitted in Reference 1 and Reference 2. This Report is not part of MHI's US-APWR Design Certification Application. As required by 10.C.F.R. § 52.47(a)(27), however, a description of the probabilistic risk assessment (PRA) and a summary of its results are included in Chapter 19 of the Design Control Document (DCD) for the US-APWR. The report is being submitted electronically in compact disc (CD).

The enclosed PRA includes both information that MHI considers proprietary and sensitive unclassified non-safeguards information, generally referred to as security-related information (SRI), which is not to be publicly disclosed under the Commission guidance. Therefore, the report should be withheld from disclosure pursuant to 10 C.F.R. § 2.390. In accordance with the NRC submittal procedures, this letter includes an Affidavit that identifies the reasons why the reports should be withheld from disclosure pursuant to 10 C.F.R. § 2.390 (a)(4) in order to protect MHI proprietary information.

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 /  
MRO*

Enclosures:

1. Affidavit of Yoshiki Ogata
2. "US-APWR Probabilistic Risk Assessment" (CD 1)

The files contained in CD are listed in the Attachment 1, respectively.

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: ck\_paulson@mnes-us.com  
Telephone: (412) 373-6466

**ENCLOSURE 1**

Docket No. 52-021  
MHI Ref: UAP-HF-09574

**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 the revision 2 of the documents entitled "US-APWR Probabilistic Risk Assessment Report, MUAP-07030" dated December 2009, and have determined that portions of the document contain proprietary information that should be withheld from public disclosure.
3. The information identified as proprietary in the enclosed documents have 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 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 documents 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 25<sup>th</sup> day of December 2009.

A handwritten signature in black ink, appearing to read "Y. Ogata". The signature is written in a cursive style with a large initial "Y" and a long horizontal stroke at the end.

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

**ATTACHMENT 1**

UAP-HF-09574

**FILES CONTAINED IN CD 1**

**Proprietary**

**(CD TO BE WITHHELD FROM PUBLIC DISCLOSURE PURSUANT TO 10 C.F. R § 2.390)**

**CD 1: "US-APWR Probabilistic Risk Assessment"  
– Non public (Containing proprietary information)**

The files contained in the CD are listed in the first file.