

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

March 5, 2010

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-10069

**Subject: Transmittal of the Technical Report "Damping Ratio of SC Structure"  
(MUAP-10002)**

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") the technical report "Damping Ratio of SC Structure". The Report is being submitted electronically in compact discs (CDs).

As indicated in the enclosed materials, this report contains information that MHI considers proprietary, and therefore should be withheld from public disclosure pursuant to the 10 CFR § 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 "[ ]".

And one version includes certain information, designated pursuant to the Commission guidance as sensitive unclassified non-safeguards information, referred to as security-related information ("SRI"), that is to be withheld from public disclosure under 10 CFR § 2.390. The information that is SRI is identified by braces "{ }". On the other hand, another version omits the SRI and is suitable for public disclosure. In the public version of the DCD, the SRI is replaced by designation "Security Related Information – Withheld under 10 CFR 2.390".

This letter includes a copy of the proprietary and SRI included version (Enclosure 2), a copy of the non-proprietary and SRI excluded 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 CFR § 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,

*Y. Ogata*

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

DO81

NRO

Enclosures :

1. Affidavit of Yoshiki Ogata
2. CD 1: "Damping Ratio of SC Structure" – Proprietary information and SRI included version
3. CD 2: "Damping Ratio of SC Structure" – Non-Proprietary information and SRI excluded version

The file contained in each CD is listed in Attachment 1 and 2 hereto.

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-10069

### **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 CFR § 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 "Damping Ratio of SC Structure" dated March 2010, and have determined that portions of the document contain proprietary information that should be withheld from public disclosure. Those pages containing 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 CFR § 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 as it provides the analytical and testing basis for the qualification of steel concrete modules.
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 the steel concrete module design.

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 5th day of March, 2010.

A handwritten signature in cursive script, appearing to read "Y. Ogata".

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

**Attachment – 1**

**FILE CONTAINED IN CD 1**

**CD 1: “Damping Ratio of SC Structure” - Proprietary information and SRI included version**

**Contents of CD**

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
MUAP-10002-P(R0) Damping Ratio.pdf	32.2MB	Proprietary, SRI included

**Attachment – 2**

**FILES CONTAINED IN CD 2**

**CD 2: “Damping Ratio of SC Structure” - Non-Proprietary information and SRI excluded version**

**Contents of CD**

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
MUAP-10002-NP(R0) Damping Ratio.pdf	0.2MB	Non-Proprietary, SRI excluded