

June 8, 2011

Mr. Yoshiki Ogata, General Manager  
APWR Promoting Department  
Mitsubishi Heavy Industries, Ltd.  
16-5, Konan 2-Chome, Minato-Ku  
Tokyo, 108-8215 JAPAN

SUBJECT: MITSUBISHI HEAVY INDUSTRIES, LTD. - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR MITSUBISHI HEAVY INDUSTRIES, LTD. SUBMITTAL OF THE ATTACHMENT TO MITSUBISHI HEAVY INDUSTRIES, LTD. RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION NUMBER 711-5533 REVISION 2 AND TECHNICAL REPORT, "CALCULATION METHODOLOGY FOR RADIOLOGICAL CALCULATION METHODOLOGY FOR RADIOLOGICAL AND TANK FAILURE ANALYSIS, MUAP-10019P REVISION 1," MHI REF: UAP-HF-11085

Dear Mr. Ogata:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated March 30, 2011 (UAP-HF-11085), you submitted an affidavit requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

MHI's Responses to US-APWR DCD RAI 711-5533 Rev.2 (SRP 11.02)

A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the Agency Wide Documents Access and Management System (ADAMS) Public Electronic Reading Room under accession number ML111430877.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- The basis for holding the referenced information confidential is that it describes the unique methodology for evaluation to comply with Regulatory Guide 1.109 and 1.112, developed by MHI. This methodology was developed to significant cost to MHI, and with knowledge and know-how about using the PWR-GALE and RATAF code.
- 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 of new fuel 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.

Y. Ogata

- 2 -

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at (301) 415-6391, or via e-mail at [Jeff.Ciocco@nrc.gov](mailto:Jeff.Ciocco@nrc.gov).

Sincerely,

*/RA/*

Jeffrey Ciocco, Senior Project Manager  
US-APWR Projects Branch  
Division of New Reactor Licensing  
Office of New Reactors

Docket No. 52-021

cc: See next page

Y. Ogata

- 2 -

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at (301) 415-6391, or via e-mail at [Jeff.Ciocco@nrc.gov](mailto:Jeff.Ciocco@nrc.gov).

Sincerely,

*/RA/*

Jeffrey Ciocco, Senior Project Manager  
US-APWR Projects Branch  
Division of New Reactor Licensing  
Office of New Reactors

Docket No. 52-021

cc: See next page

**DISTRIBUTION:**

PUBLIC	JCiocco, NRO	RidsAcrcsAcnwMailCenter
NMIP R/F	NOtto, NRO	RidsNroDnrlnmip
D081	RidsNroLACSmith	RidsOgcMailCenter
RidsOpaMailCenter		

**ADAMS Accession No.: ML111470562**

**NRO-002**

<b>OFFICE</b>	DNRL/NMIP: PM	DNRL/NMIP: LA	DNRL/NMIP: PM
<b>NAME</b>	NOtto	CSmith	JCiocco
<b>DATE</b>	06/08/2011	06/06/2011	06/08/2011

**OFFICIAL RECORD COPY**

DC Mitsubishi - US APWR Mailing List  
cc:

(Revised 05/18/2011)

Ms. Michele Boyd  
Legislative Director  
Energy Program  
Public Citizens Critical Mass Energy  
and Environmental Program  
215 Pennsylvania Avenue, SE  
Washington, DC 20003

Atsushi Kumaki  
Mitsubishi Heavy Industries, Ltd.  
APWR Promoting Department  
Wadasaki-cho- 1-1-1, Hyogo-ku  
Kobe 652-8585 JAPAN

Dr. Masanori Onozuka  
Mitsubishi Nuclear Energy Systems, Inc.  
1001 19th Street North, Suite 710  
Arlington, VA 22201-5426

Dr. C. Keith Paulson  
Mitsubishi Nuclear Energy Systems, Inc.  
300 Oxford Drive, Suite 301  
Monroeville, PA 15146

Mr. Tom Sliva  
7207 IBM Drive  
Charlotte, NC 28262

Mr. Robert E. Sweeney  
IBEX ESI  
4641 Montgomery Avenue  
Suite 350  
Bethesda, MD 20814

Mr. Gary Wright, Director  
Division of Nuclear Facility Safety  
Illinois Emergency Management Agency  
1035 Outer Park Drive  
Springfield, IL 62704

## DC Mitsubishi - US APWR Mailing List

### Email

APH@NEI.org (Adrian Heymer)  
atsushi\_kumaki@mhi.co.jp (Atsushi Kumaki)  
awc@nei.org (Anne W. Cottingham)  
bgattoni@roe.com (William (Bill) Gattoni))  
BrinkmCB@westinghouse.com (Charles Brinkman)  
ck\_paulson@mnes-us.com (C Keith Paulson)  
ckpaulson@aol.com (C.K. Paulson)  
CumminWE@Westinghouse.com (Edward W. Cummins)  
cwaltman@roe.com (C. Waltman)  
david.hinds@ge.com (David Hinds)  
david.lewis@pillsburylaw.com (David Lewis)  
DeLaBarreR@state.gov (R. DeLaBarre)  
Derinda.Bailey@chguernsey.com (Derinda Bailey)  
donald.woodlan@luminant.com (Donald Woodlan)  
eliza.seedcoalition@gmail.com (Elza Brown)  
erg-xl@cox.net (Eddie R. Grant)  
ewallace@nuscalepower.com (Ed Wallace)  
f.tanaka@mnes-us.com  
gcesare@enercon.com (Guy Cesare)  
james.beard@gene.ge.com (James Beard)  
jerald.head@ge.com (Jerald G. Head)  
jim.riccio@wdc.greenpeace.org (James Riccio)  
Joseph\_Hegner@dom.com (Joseph Hegner)  
jrund@morganlewis.com (Jonathan Rund)  
KSutton@morganlewis.com (Kathryn M. Sutton)  
kwaugh@impact-net.org (Kenneth O. Waugh)  
lchandler@morganlewis.com (Lawrence J. Chandler)  
lon.burnam@house.state.tx.us (Lon Burnam)  
m.goto@mnes\_us.com  
Marc.Brooks@dhs.gov (Marc Brooks)  
maria.webb@pillsburylaw.com (Maria Webb)  
mark.beaumont@wsms.com (Mark Beaumont)  
Mark.Crisp@chguernsey.com (Mark Crisp)  
mark.g.giles@dom.com (Mark Giles)  
mark.vannoy@mnes-us.com  
masahiko\_kaneda@mhi.co.jp (Masahiko Kaneda)  
masanori\_onozuka@mnes-us.com (Masanori Onozuka)  
masato.oba@mnes-us.com  
masayuki\_kambara@mhi.co.jp (Masayuki Kambara)  
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)  
mayorsouthern@granbury.org (Mayor David Southern)  
media@nei.org (Scott Peterson)  
mike\_moran@fpl.com (Mike Moran)  
MSF@nei.org (Marvin Fertel)

## DC Mitsubishi - US APWR Mailing List

mutsumi\_ishida@mnes-us.com (Mutsumi Ishida)  
mwetterhahn@winston.com (M. Wetterhahn)  
nan\_sirirat@mnes-us.com (Sirirat Mongkolkam)  
nirsnet@nirs.org (Michael Mariotte)  
Nuclaw@mindspring.com (Robert Temple)  
patriciaL.campbell@ge.com (Patricia L. Campbell)  
paul.gaukler@pillsburylaw.com (Paul Gaukler)  
Paul@beyondnuclear.org (Paul Gunter)  
pbessette@morganlewis.com (Paul Bessette)  
plarimore@talisman-intl.com (Patty Larimore)  
pshastings@duke-energy.com (Peter Hastings)  
RJB@NEI.org (Russell Bell)  
ryan\_sprengel@mnes-us.com (Ryan Sprengel)  
sabinski@suddenlink.net (Steve A. Bennett)  
sandra.sloan@areva.com (Sandra Sloan)  
satoshi\_hanada@mnes-us.com (Satoshi Hanada)  
satoshi\_watanabe@mnes-us.com (Satoshi Watanabe)  
sfrantz@morganlewis.com (Stephen P. Frantz)  
shinji\_kawanago@mnes-us.com (Shinji Kawanago)  
stephan.moen@ge.com (Stephan Moen)  
steven.hucik@ge.com (Steven Hucik)  
strambgb@westinghouse.com (George Stramback)  
Tansel.Selekler@nuclear.energy.gov (Tansel Selekler)  
tgilder1@luminant.com (Tim Gilder)  
tmatthews@morganlewis.com (T. Matthews)  
tom.miller@hq.doe.gov (Tom Miller)  
trsmith@winston.com (Tyson Smith)  
Vanessa.quinn@dhs.gov (Vanessa Quinn)  
vijukrp@westinghouse.com (Ronald P. Vijuk)  
Wanda.K.Marshall@dom.com (Wanda K. Marshall)  
whorin@winston.com (W. Horin)  
yoshiki\_ogata@mhi.co.jp (Yoshiki Ogata)