

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

May 11, 2012

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-12118

**Subject: MHI's Comments on NRC's Advanced Topical Report Safety Evaluation for MUAP-07007-P, REVISION 5, "HSI SYSTEM DESCRIPTION AND HFE PROCESS"**

**Reference:** 1) UNITED STATES - ADVANCED PRESSURIZED WATER REACTOR ADVANCED TOPICAL REPORT SAFETY EVALUATION FOR MUAP-07007-P, REVISION 5, "HSI SYSTEM DESCRIPTION AND HFE PROCESS", April 3, 2012

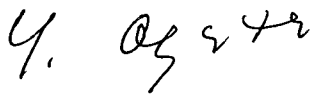
With this letter, Mitsubishi Heavy Industries, LTD. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") the official document entitled "MHI's Comments on NRC's Advanced Topical Report Safety Evaluation for MUAP-07007-P, REVISION 5, "HSI SYSTEM DESCRIPTION AND HFE PROCESS".

As indicated in the enclosed materials, the document contains information that MHI and Mitsubishi Electric Corporation ("MELCO"), consider 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.

This letter includes a copy of the proprietary document entitled "MHI's Comments on NRC'S Advanced Topical Report Safety Evaluation for MUAP-07007-P, REVISION 5, "HSI SYSTEM DESCRIPTION AND HFE PROCESS" (Enclosure 2) 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 Mr. Joseph Tapia, General Manager of Licensing Department, Mitsubishi Nuclear Energy Systems, Inc. if the NRC has questions concerning any aspect of the submittal. His contact information is provided below.

Sincerely,



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



Enclosures:

1. Affidavit of Yoshiki Ogata
2. CD 1: "MHI's Comments on NRC'S Advanced Topical Report Safety Evaluation for MUAP-07007-P, REVISION 5, "HSI SYSTEM DESCRIPTION AND HFE PROCESS"  
– Version containing Proprietary information

The file contained in CD 1 is listed in Attachment 1 hereto.

CC: J. A. Ciocco  
J. Tapia

Contact Information

Joseph Tapia, General Manager of Licensing Department  
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## ENCLOSURE 1

Docket No.52-021  
MHI Ref: UAP-HF-12118

### 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 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 Comments on NRC'S Advanced Topical Report Safety Evaluation for MUAP-07007-P, REVISION 5, "HSI SYSTEM DESCRIPTION AND HFE PROCESS", 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 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 C.F.R. § 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 Mitsubishi Electric Corporation ("MELCO"), 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 of the Human System Interface System ("HSIS"), developed by MHI and MELCO and not used in the exact form by any of MHI's and MELCO's competitors. This information was developed at significant cost to MHI and MELCO, since it required the performance of Research and Development, detailed design for its software and hardware extending over several years.
5. 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 the MHI's application for certification of its US-APWR Standard Plant Design.
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 article 3 above, MHI and MELCO know of no way the information could be lawfully acquired by organizations or individuals outside of MHI and MELCO.
7. Public disclosure of the referenced information would assist competitors of MHI and MELCO 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 and MELCO in the U.S. nuclear plant market:

- A. Loss of competitive advantage due to the costs associated with development of the HSIS. Providing public access to such information permits competitors to duplicate or mimic the HSIS design without incurring the associated costs.
- B. Loss of competitive advantage of the US-APWR created by benefits of enhanced plant safety, and reduced operation and maintenance costs associated with the HSIS.

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 11th day of May, 2012.

A handwritten signature in black ink, appearing to read "Y. Ogata". The signature is written in a cursive, somewhat stylized font.

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

**ATTACHMENT 1**

**FILES CONTAINED IN CD 1**

**CD 1: "MHI's Comments on NRC'S Advanced Topical Report Safety Evaluation for MUAP-07007-P, REVISION 5, "HSI SYSTEM DESCRIPTION AND HFE PROCESS"  
– Version containing proprietary information**

**Contents of CD**

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
Comments on NRC advanced TRSE for HFE.pdf	63 KB	Proprietary