

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

June 21, 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-12155

**Subject:** MHI's Response to US-APWR DCD RAI No. 928-6378 Revision 3 (SRP 04.02)

**Reference:** 1) "REQUEST FOR ADDITIONAL INFORMATION 928-6378 Revision 3" dated on May 14, 2012

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") a document entitled "Response to US-APWR DCD RAI No.928-6378 REVISION 3".

Enclosed is the response to RAI No. 04.02-52 contained within Reference 1.

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. The proprietary information is bracketed by the designation "[ ]".

This letter includes a copy of the proprietary version (Enclosure 2) and a copy of 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). A non-proprietary version of the document has not been prepared because the entire content of the RAI response is considered to be Proprietary information.

Please contact Mr. Joseph Tapia, General Manager of Licensing Department, Mitsubishi Nuclear Energy Systems, Inc. if the NRC has questions concerning any aspect of this submittal. His contact information is provided below.

Sincerely,



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

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Enclosures:

1. Affidavit of Yoshiki Ogata
2. Response to US-APWR DCD RAI No. 928-6378 REVISION 3 (Proprietary)

CC: J. A. Ciocco  
J. Tapia

Contact Information

Joseph Tapia, General Manager of Licensing Department  
Mitsubishi Nuclear Energy Systems, Inc.  
1001 19th Street North, Suite 710  
Arlington, VA 22209  
E-mail: joseph\_tapia@mnes-us.com  
Telephone: (703) 908 – 8055

## ENCLOSURE 1

Docket No.52-021  
MHI Ref: UAP-HF-12155

### MITSUBISHI HEAVY INDUSTRIES, LTD.

#### AFFIDAVIT

I, Yoshiki Ogata, being duly sworn according to law, depose and state as follows:

1. I am Director, 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 "Response to US-APWR DCD RAI No. 928-6378 REVISION 3" and have determined that portions of the report 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 technical report indicates that all information identified as "Proprietary" should be withheld from public disclosure pursuant to 10 C.F.R. § 2.390 (a).
3. The information in the report identified as proprietary by MHI 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 methodologies developed by MHI for the fuel of the US-APWR. These were developed at significant cost to MHI, since they required the performance of detailed calculations, analyses, and testing extending over several years. The referenced information is not available in public sources and could not be gathered readily from other publicly available information.
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 MHI's Application for certification of its US-APWR Standard Plant Design.
6. 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.

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 21<sup>st</sup> day of June, 2012.

A handwritten signature in black ink, appearing to read 'Y. Ogata', written in a cursive style.

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