


MITSUBISHI HEAVY INDUSTRIES, LTD.
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TOKYO, JAPAN

November 29, 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-12309

Subject: MHI's Responses to US-APWR DCD RAI No. 972-6900 (SRP 07.09) and Amended Response to US-APWR DCD RAI No. 778-5866 REVISION 3 (SRP 07.09)

- Reference:**
- 1) "Request for Additional Information No. 972-6900, SRP Section: 07.09 - Data Communication Systems, Application Section: 07.09," dated October 24, 2012.
 - 2) "Request for Additional Information No. 778-5866 Revision 3, SRP Section 07.09 – Data Communication Systems, Application Section: 07.09," dated July 8, 2011, ML111940540.
 - 3) "MHI's Response to US-APWR DCD RAI No. 778-5866 Revision 3 (SRP 07.09)", dated August 1, 2011, ML11223A270.

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") documents entitled "Response to Request for Additional Information No. 972-6900" and "Amended Response to Request for Additional Information No. 778-5866 Revision 3." These RAI response documents are being provided on compact discs (CDs).

Enclosed are the responses to the RAIs contained within References 1 and 2.

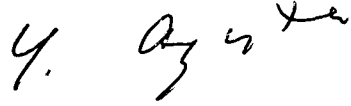
As indicated in the enclosed materials, these documents contain information that MHI considers proprietary, and therefore should be withheld from public disclosure pursuant to 10 C.F.R. § 2.390 (a)(4) as trade secrets and commercial or financial information which is privileged or confidential. Accordingly, the RAI response documents are being submitted in versions on separate CDs. One version of each RAI response (Enclosure 2) contains the complete proprietary version of the response. The non-proprietary version of each RAI response is also provided (Enclosure 3) with the information identified as proprietary redacted and replaced by the designation "[]."

This letter includes a copy of the proprietary version of each response (Enclosure 2), a copy of the non-proprietary version of each response (Enclosure 3), and the Affidavit of Yoshiaki 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 10C.F.R. § 2.390 (a)(4).

DOB
LRO

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

Sincerely,

Handwritten signature of Yoshiaki Ogata in black ink.

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

Enclosures:

1. Affidavit of Yoshiaki Ogata
2. CD 1: Response to Request for Additional Information No. 972-6900" and "Amended Response to Request for Additional Information No. 778-5866 Revision 3 (Proprietary versions)
3. CD 2: Response to Request for Additional Information No. 972-6900" and "Amended Response to Request for Additional Information No. 778-5866 Revision 3 (Non-proprietary versions)

CC: J. A. Ciocco
J. Tapia

Contact Information

Joseph Tapia, General Manager of Licensing Department
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Enclosure 1

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MITSUBISHI HEAVY INDUSTRIES, LTD.

AFFIDAVIT

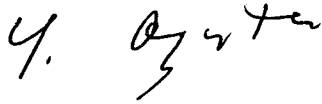
I, Yoshiki Ogata, state as follows:

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 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 documents entitled "Response to Request for Additional Information No. 972-6900" and "Amended Response to Request for Additional Information No. 778-5866 REVISION 3," and have determined that portions of the documents 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 documents 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 documents 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 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 the I&C System. Providing public access to such information permits competitors to duplicate or mimic the I&C System information 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 I&C system.

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 29th day of November, 2012.

A handwritten signature in black ink, appearing to read 'Y. Ogata', with a stylized flourish at the end.

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

ATTACHMENT 1

Docket No. 52-021
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FILES CONTAINED ON CD 1

CD1: "Response to Request for Additional Information No. 972-6900" and "Amended Response to Request for Additional Information No. 778-5866 Revision 3" (Proprietary version)

Contents of CD

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
Response_to_RAI_No_972-6900-P.pdf	0.34MB	Proprietary
Amended_Response_to_RAI_No_778-5866-P.pdf	1.39MB	Proprietary

ATTACHMENT 2

Docket No. 52-021
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FILES CONTAINED ON CD 2

CD 2: "Response to Request for Additional Information No. 972-6900" and "Amended Response to Request for Additional Information No. 778-5866 Revision 3" (Non-Proprietary version)

Contents of CD

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
Response_to_RAI_No_972-6900-NP.pdf	0.34MB	Non-Proprietary
Amended_Response_to_RAI_No_778-5866-NP.pdf	0.87MB	Non-Proprietary