March 4, 2013

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-13052

Subject:

Transmittal of Technical Reports and DCD Mark-ups Related to the

US-APWR Fukushima Evaluation

References: [1] "Request for Additional Information No. 944-6516 Revision 3, SRP Section 1.05 – Other Regulatory Considerations", dated June 19, 2012 (ML12171A228).

- [2] "Request for Additional Information No. 974-6924, SRP Section 1.05 Other Regulatory Considerations", dated November 5, 2012 (ML12310A138).
- [3] MHI Letter UAP-HF-12206, "MHI's Response to US-APWR DCD RAI No. 944-6516 Revision 3." dated July 18, 2012 (ML12201B405).
- [4] MHI Letter UAP-HF-12323, "MHI's Response to US-APWR DCD RAI No. 974-6924 (SRP 1.05)," dated December 10, 2012 (ML12346A447).

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") an Optical Storage Medium ("OSM") entitled "Documents Related to the US-APWR Fukushima Evaluation". The following documents are included on the OSM:

- "US-APWR Evaluation and Design Enhancement to Incorporate Lessons Learned from TEPCO's Fukushima Dai-Ichi Nuclear Power Station Accident", MUAP-13002, Revision 0, dated March 2013.
- "US-APWR Reactor Coolant Pump No. 2 Seal Test Report", MUAP-13003, Revision 0, dated March 2013.
- US-APWR DCD Mark-up to Incorporate Fukushima-Related Changes to Tier 1
- US-APWR DCD Mark-up to Incorporate Fukushima-Related Changes to Tier 2

MHI will provide integrated layout drawings as part of the DCD mark-up attached to the response to RAI 841-6065 that will be submitted in March 2013. Therefore, the revised layout drawings are not included the mark-ups provided in the enclosures to this document.

As indicated in Enclosure 2, MUAP-13003 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. In addition, MUAP-13002 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 C.F.R. § 2.390. The information that is SRI is identified by brackets.

Non-proprietary, non-SRI versions of the documents are also being submitted (Enclosure 3). In the non-proprietary version, both the SRI and/or proprietary content is omitted. Therefore, the versions included in Enclosure 3 are suitable for public disclosure. In the public version, the SRI is replaced by the designation "[Security-Related Information – Withheld under 10 CFR 2.390]" and the information identified as proprietary is replaced by the designation "[]".

This letter includes an OSM containing copies of the documents that include proprietary and/or SRI content (Enclosure 2), an OSM containing non-proprietary and non-SRI versions of the documents (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 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 this submittal. His contact information is provided below.

Sincerely.

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

Enclosures:

- 1. Affidavit of Yoshiki Ogata
- 2. CD 1: Documents Related to the US-APWR Fukushima Evaluation (Versions Containing Proprietary and/or SRI Content)
- 3. CD 2: Documents Related to the US-APWR Fukushima Evaluation (Versions Not Containing Proprietary or SRI Content)

The files contained on CD1 and CD2 are listed in Attachments 1 and 2, respectively.

CC: J. A. Ciocco J. Tapia

Contact Information

Telephone: (703) 908 - 8055

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

ENCLOSURE 1

Docket No.52-021 MHI Ref: UAP-HF-13052

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 document entitled "US-APWR Reactor Coolant Pump No. 2 Seal Test Report" dated March 2013, 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 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 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 unique aspects of US-APWR design intended to address lessons learned from the Fukushima Dai-ichi Nuclear Power Station accident, developed by MHI and sub-vendors not used in the exact form by any MHI's competitors. This information was developed at significant cost to MHI, since it required the performance of Research and Development and 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 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

Fukushima-related design enhancements and the RCP seal test configuration, methodology and the test procedure. Providing public access to such information permits competitors to duplicate or mimic the methodology 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 Fukushima-related design enhancements.

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 4th day of March 2013.

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Yoshiki Ogata,

Director - APWR Promoting Department

Mitsubishi Heavy Industries, LTD.

ATTACHMENT 1

FILES CONTAINED ON CD 1

CD 1: "Documents Related to the US-APWR Fukushima Evaluation"
- Version Containing Proprietary Information and/or SRI

Contents of CD

File Name	<u>Size</u>	Sensitivity Level
MUAP-13002-SRI_R0.pdf	3.2 MB	Non-Proprietary & SRI
MUAP-13003-P_R0_(1).pdf	41.8 MB	Proprietary & non-SRI
MUAP-13003-P_R0_(2).pdf	33.0 MB	Proprietary & non-SRI
MUAP-13003-P_R0_(3).pdf	29.9 MB	Proprietary & non-SRI
DCD_Tier1_MU.pdf	1.3 MB	Non-Proprietary, non-SRI
DCD_Tier2_MU.pdf	10.5 MB	Non-Proprietary, non-SRI

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ATTACHMENT 2

FILES CONTAINED ON CD 2

CD 2: "Documents Related to the US-APWR Fukushima Evaluation"

- Version Not Containing Proprietary Information or SRI

Contents of CD

File Name	<u>Size</u>	Sensitivity Level
MUAP-13002-non-SRI_R0.pdf	1.2 MB	Non-Proprietary, non-SRI
MUAP-13003-NP_R0.pdf	40.0 MB	Non-Proprietary, non-SRI
DCD_Tier1_MU.pdf	1.3 MB	Non-Proprietary, non-SRI
DCD_Tier2_MU.pdf	10.5 MB	Non-Proprietary, non-SRI