



July 12, 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-13177

**Subject: MHI's Response to US-APWR DCD RAI No.1033-7090 (SRP 19)**

Reference: 1) "Request for Additional Information No.1033-7090, SRP Section: 19 – Probabilistic Risk Assessment and Severe Accident Evaluation, Application Section: 19," dated May 13, 2013.

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") the document entitled "Response to Request for Additional Information No.1033-7090."

Enclosed is the response to one RAI question (19-592) contained within Reference 1.

The response 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 that are followed by the designation "(SRI)". In addition, as indicated in Enclosure 1, the RAI response 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 information that is proprietary is identified by brackets. Consequently, the response is being submitted in two versions. One version (Enclosure 2) includes the proprietary information and SRI. The second version (Enclosure 3) omits both the proprietary information and SRI and is suitable for public disclosure.

This letter includes the document containing proprietary and SRI content (Enclosure 2), the document excluding proprietary and SRI content (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 the submittal. His contact information is below.

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NRC

Sincerely,

*Y. Ogata*

Yoshiki Ogata,  
Executive Vice President  
Mitsubishi Nuclear Energy Systems, Inc.  
On behalf of Mitsubishi Heavy Industries, LTD.

Enclosure:

1. Affidavit of Yoshiki Ogata
2. Response to Request for Additional Information No.1033-7090 (Proprietary and SRI included version)
3. Response to Request for Additional Information No.1033-7090 (Proprietary and SRI excluded version)

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-13177

**MITSUBISHI HEAVY INDUSTRIES, LTD.**  
**AFFIDAVIT**

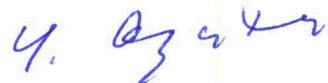
I, Yoshiki Ogata, state as follows:

1. I am Executive Vice President of Mitsubishi Nuclear Energy Systems, Inc., and have been delegated the function of reviewing Mitsubishi Heavy Industries, LTD's ("MHI") 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 "Response to Request for Additional Information No.1033-7090" dated July 12, 2013, and have determined that portions of the document contain proprietary information that should be withheld from public disclosure since this transmittal is a private communication between the Nuclear Regulatory Commission ("NRC") and MHI in accordance with the Request for Additional Information No. 1033-7090. 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 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 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 development of methodology related to the analysis.

- B. Loss of competitive advantage of the US-APWR created by benefits of modeling information.

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 12<sup>th</sup> day of July, 2013.



Yoshiki Ogata,  
Executive Vice President  
Mitsubishi Nuclear Energy Systems, Inc.