



MITSUBISHI HEAVY INDUSTRIES, LTD.
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TOKYO, JAPAN

August 26, 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-13207

Subject: MHI's Responses to US-APWR DCD RAIs Nos. 223-1996, Question 03.08.01-1(11), and 1045-7141, Questions 03.08.05-46, -48, -53, and -61

Reference: 1) Letter MHI Ref. UAP-HF-13196 from Y. Ogata (MHI) to U.S. NRC, "US-APWR Updated to the Seismic Closure Plan and Submittals to DCD Chapter 3," dated August 2nd, 2013.

With this letter, Mitsubishi Heavy Industries, Ltd. (MHI) transmits to the U.S. Nuclear Regulatory Commission (NRC) the document entitled "MHI's Responses to US-APWR DCD RAIs Nos. 223-1996, Question 03.08.01-1(11), and 1045-7141, Questions 03.08.05-46, -48, -53, and -61," scheduled for submittal in accordance with Reference 1.

This letter includes a copy of the proprietary (non-public) version of the document (Enclosure 2), a copy of the non-proprietary (public) version of the document (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 CFR § 2.390 (a)(4).

Each version of the enclosed document is included on a separate compact disc (CD). As indicated in the enclosed materials, this document contains information that MHI considers proprietary, and therefore should be withheld from public disclosure pursuant to the 10 CFR § 2.390 (a)(4) as trade secrets and commercial or financial information which is privileged or confidential. The non-proprietary version of the document is also being submitted with the information identified as proprietary redacted and replaced by the designation "[]."

The proprietary version of the document 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 CFR § 2.390. The information that is SRI is identified by bracket "[]". A separate version omits the SRI and is suitable for public disclosure. In the public version of the DCD, the SRI is replaced by designation "Security Related Information – Withheld Under 10 CFR § 2.390."

Attachment 1 provides a listing of the files contained in Enclosures 2 and 3. Attachment 2 provides a listing of those RAI responses contained in Enclosures 2 and 3. 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 letter, Mr. Tapia's contact information is provided below.

Sincerely,



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

Enclosures:

1. Affidavit of Yoshiki Ogata
2. CD 1: "MHI's Responses to US-APWR DCD RAIs Nos. 223-1996, Question 03.08.01-1(11), and 1045-7141, Questions 03.08.05-46, -48, -53, and -61" – Version containing SRI and proprietary information
3. CD 2: "MHI's Responses to US-APWR DCD RAIs Nos. 223-1996, Question 03.08.01-1(11), and 1045-7141, Questions 03.08.05-46, -48, -53, and -61" – Version not containing SRI and proprietary information

CC: J. A. Ciocco
J. Tapia

Contact Information

Joseph Tapia, General Manager of Licensing Department
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ATTACHMENT – 1

FILES CONTAINED IN CDs

CD 1: “MHI’s Responses to US-APWR DCD RAIs Nos. 223-1996, Question 03.08.01-1(11), and 1045-7141, Questions 03.08.05-46, -48, -53, and -61” – Version containing SRI

Contents of CD1

This CD includes SRI and proprietary information.

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
1. Includes SRI		
RAI 1045-7141 Q03.08.05-48(SRI included).pdf	385 KB	SRI included
2. Include proprietary information		
RAI 1045-7141 Q03.08.05-46(Proprietary).pdf	114 KB	Proprietary
3. Others (No SRI or proprietary information)		
RAI 223-1669 Q03.08.01-1(11).pdf	77 KB	None
RAI 1045-7141 Q03.08.05-53.pdf	56 KB	None
RAI 1045-7141 Q03.08.05-61.pdf	55 KB	None

CD 2: “MHI’s Responses to US-APWR DCD RAIs Nos. 223-1996, Question 03.08.01-1(11), and 1045-7141, Questions 03.08.05-46, -48, -53, and -61” – Version not containing SRI

Contents of CD2

This CD excludes SRI and proprietary information.

<u>File Name</u>	<u>Size</u>	<u>Sensitivity Level</u>
1. Excludes SRI		
RAI 1045-7141 Q03.08.05-48 (SRI excluded).pdf	74 KB	SRI excluded
2. Excludes proprietary information		
RAI 1045-7141 Q03.08.05-46.pdf	97 KB	Non-proprietary
3. Others (No SRI or proprietary information)		
RAI 223-1669 Q03.08.01-1(11).pdf	77 KB	None
RAI 1045-7141 Q03.08.05-53.pdf	56 KB	None
RAI 1045-7141 Q03.08.05-61.pdf	55 KB	None

ATTACHMENT – 2
LIST OF RAI RESPONSES

RAI Letter No.	eRAI No.	Question No.	Question No. (Sub-number)
223	1996	03.08.01-01	03.08.01-11
1045	7141	03.08.05-46	
1045	7141	03.08.05-48	
1045	7141	03.08.05-53	
1045	7141	03.08.05-61	

Enclosure 1

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 "MHI's Responses to US-APWR DCD RAIs Nos. 223-1996, Question 03.08.01-1(11), and 1045-7141, Questions 03.08.05-46, -48, -53, and -61" dated August 26 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 are as follows:
 - A. They include the output of analyses used by mathematical models developed at significant cost to MHI, since it required the performance of detailed design calculations, supporting analyses and testing. Information contained in the analyses is not available in public sources and could not be gathered readily from other publicly available information.
 - B. They include information that is provided to MHI pursuant to licensing agreements with third parties (the Licensors) for MHI's use and under the obligation to maintain their confidentiality. Furthermore, MHI has an ownership interest in the referenced information by having paid significant sums of money to the Licensors for the rights to the intellectual property therein such that public disclosure of the materials would adversely affect MHI's competitive position.
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 the methodology of modeling and analysis for building structure design. Providing public access to such information permits competitors to duplicate or mimic the methodology without incurring the associated costs.

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 26th day of August, 2013.



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