

16-5, KONAN 2-CHOME, MINATO-KU TOKYO, JAPAN

August 22, 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-13198

Subject: Transmittal of Technical Report "US-APWR Response Time of Safety I&C

System" (MUAP-09021, Revision 3)

References: 1) "MHI's Responses to US-APWR DCD RAI for Chapter 7 and mark up of Tier

1 and Chapter 7 on Revision 3," UAP-HF-11159, dated May 31, 2011,

ML11160A098.

2) "MHI's Response to US-APWR DCD RAI No. 882-6237 Revision 3 (SRP

15.0)," UAP-HF-12009, dated January 31, 2012, ML12065A197.

With this letter, Mitsubishi Heavy Industries, Ltd. (MHI) transmits to the U.S. Nuclear Regulatory Commission (NRC) copies of the technical report entitled "US-APWR Response Time of Safety I&C System" (MUAP-09021, Revision 3).

This document has been revised to incorporate changes committed to in various RAI responses (References 1 and 2).

Each version of the enclosed document is included on a separate compact disc. 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. A non-proprietary version of the document is also being submitted with the information identified as proprietary redacted and replaced by the designation "[]."

In accordance with the NRC submittal procedures for technical reports, this letter includes a copy of the proprietary version (Enclosure 2), a copy of the non-proprietary version (Enclosure 3), and the Affidavit of Yoshiki Ogata (Enclosure 1) which identifies the reasons MHI respectfully requests that all material designated as proprietary in Enclosure 2 be withheld from disclosure pursuant to 10 C.F.R. § 2.390 (a)(4).

Attachment 1 is a list of the files contained in enclosures 2 and 3. Attachment 2 is a matrix which identifies sections of MUAP-09021, where applicable, which contain information requested by the staff in various Requests for Additional Information (RAIs), and is being provided for the staff's convenience.

Please contact to 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, Executive Vice President Mitsubishi Nuclear Energy Systems, Inc. On behalf of Mitsubishi Heavy Industries, Ltd.

Enclosures:

- 1. Affidavit of Yoshiki Ogata
- 2. CD 1:

MUAP-09021-P Revision 3, "US-APWR Response Time of Safety I&C System" - Version containing Proprietary information

3. CD 2:

MUAP-09021-NP Revision 3, "US-APWR Response Time of Safety I&C System" - Version not containing Proprietary information

The file contained in each CD is listed in Attachment 1.

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-13198

MITSUBISHI HEAVY INDUSTRIES, LTD. AFFIDAVIT

- I, Yoshiki Ogata, being duly sworn according to law, depose and 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 documents entitled "US-APWR Response Time of Safety I&C System" (MUAP-09021, Revision 3), and have determined that 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 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 I&C 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 and testing 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 safety I&C system. Providing public access to such information permits competitors to duplicate or mimic the safety I&C system design 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 safety 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 22nd day of August, 2013.

Yoshiki Ogata,

Executive Vice President

Mitsubishi Nuclear Energy Systems, Inc.

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ATTACHMENT 1

FILES CONTAINED IN CDs

CD 1:

MUAP-09021-P Revision 3, "US-APWR Response Time of Safety I&C System" - Version containing Proprietary Information

Contents of CD

File NameSizeSensitivity LevelMUAP-09021-P(R3).pdf537KBProprietary

CD 2:

MUAP-09021-NP Revision 3, "US-APWR Response Time of Safety I&C System" - Version not containing Proprietary Information

Contents of CD

<u>File Name</u> <u>Size</u> <u>Sensitivity Level</u> MUAP-09021-NP(R3).pdf <u>Size</u> <u>Sensitivity Level</u> Non-Proprietary

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ATTACHMENT 2

REPORT SECTIONS CONTAINING INFORMATION REQUESTED BY NRC REQUESTS FOR ADDITIONAL INFORMATION (RAIs)

DCD Sect	RAI	eRAI	Question #	Question # (sub-number)	Section, paragraph, figure, and/or table where question is answered
7.1	722	5597	07.01-29		Entirety of MUAP-09021.
7.1	722	5597	07.01-30		Entirety of MUAP-09021.
15.0	882	6237	15-38		Sections 3.1 (2), 4.1 and 4.2.