

December 19, 2013

Mr. Yoshiki Ogata, General Manager
APWR Promoting Department
Mitsubishi Heavy Industries, Ltd.
16-5, Konan 2-Chome, Minato-Ku
Tokyo, 108-8215 Japan

SUBJECT: REQUESTS FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE FOR MITSUBISHI HEAVY INDUSTRIES, LTD. UNITED STATES
- ADVANCED PRESSURIZED WATER REACTOR DESIGN CERTIFICATION
CHAPTER 9, "AUXILIARY SYSTEMS," RELATED DOCUMENTS

Dear Mr. Ogata:

By letters to the U.S. Nuclear Regulatory Commission (NRC) included in the enclosed list, Mitsubishi Heavy Industries, Ltd. (MHI) submitted affidavits requesting that information included within the letters, or as an enclosure to the letters, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

Non-proprietary copies of documents in the enclosed list have been placed in the NRC's Public Document Room and added to the Agency Wide Documents Access and Management System (ADAMS) Public Electronic Reading Room.

The affidavits state that the submitted information should be considered exempt from mandatory public disclosure for one or more of the following reasons:

1. 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.
2. The basis for holding the referenced information confidential is that it describes unique design details related to the US-APWR specific design, developed by MHI and involved vendors and not used in the exact form by any of MHI's competitors. This information was developed at significant cost to MHI, since it required the performance of research and development and the performance of detailed hardware design and software development over an extended period.
3. 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.

4. 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 1 above, MHI knows of no way the information could be lawfully acquired by organizations or individuals outside of MHI.
5. 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 Aspects of the unique US-APWR plant design. 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.

We have reviewed the applications and the materials in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavits, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b) (5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Y. Ogata

- 3 -

If you have any questions regarding this matter, I may be reached at (301) 415-1383, or via e-mail at Perry.Buckberg@nrc.gov.

Sincerely,

/RA/

Perry Buckberg, Senior Project Manager
Licensing Branch 2
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-021

cc: See next page

Y. Ogata

- 3 -

If you have any questions regarding this matter, I may be reached at (301) 415-1383, or via e-mail at Perry.Buckberg@nrc.gov.

Sincerely,

/RA/

Perry Buckberg, Senior Project Manager
Licensing Branch 2
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-021

cc: See next page

DISTRIBUTION:

PUBLIC	PBuckberg, NRO	RidsNroLACSmith
LB2 R/F	PKallan, NRO	RidsOgcMailCenter
D081	RidsNroDnrILB2	RidsAcrsAcnwMailCenter

ADAMS Accession No.: ML13343A107

NRC-001

OFFICE	DNRL/LB2: PM	DNRL/LB2: LA	DNRL/ LB2: PM	DNRL/LB2: PM (signed)
NAME	PKallan	CMurphy	PKallan	PBuckberg
DATE	12/18/2013	12/18/2013	12/18/2013	12/19/2013

OFFICIAL RECORD COPY

US-APWR Chapter 9, "Auxiliary Systems," Related Letters Submitting Requests for Withholding Information from Public Disclosure

ADAMS Accession Number	Document Title	Document Date
ML090970179	Transmittal of the Technical Report Entitled "Mechanical Analysis for US-APWR New and Spent Fuel Racks" (MUAP-07033).	March 31, 2009
ML091620299	Transmittal of the Technical Report Entitled "Thermal – Hydraulic Analysis for US_APWR Spent Fuel Racks" (MUAP-09014).	June 5, 2009
ML11195A166	Revision 2 to the Technical Report MUAP -09016-P, "US-AOWR Reactor Vessel Pressure and Temperature Limits Report".	July 4, 2011
ML13074A152	Revision 3 of the Technical Report MUAP-09016 "US-APWR Reactor Vessel Pressure and Temperature Limits Reports".	March 1, 2013
ML103490629	Transmittal of the Technical Report entitled "US-APWR Safety-Related Air Conditioning, Heating, Cooling, and Ventilation Systems Calculation," (MUAP-10020, Revision 0).	November 19, 2010
ML090490831	Mitsubishi Heavy Industries, Ltd. – Responses to US-APWR DCD RAI No. 1442, Revision 0.	February 10, 2009
ML12048A098	MHI's Response to US-APWR DCD RAI No. 760-5576 Revision 0 (SRP Section 09.02.02).	February 15, 2012
ML090130257	MHI's Response to US-APWR DCD RAI No. 107.	December 19, 2008
ML091540358	MHI's Amended Response to US-APWR DCD RAI No. 107-1293, Revision 0	May 29, 2009
ML11227A043	Amended MHI's Response to US-APWR DCD No. 107-1293, Revision 0 (SRP 03.09.04). (Non Proprietary Version).	August 11, 2011
ML13074A041	Amended MHI's Response to US-APWR DCD RAI No. 107-1293, Revision 0 (SPR 03.09.04) Regarding Control Rod Drive Systems.	March 12, 2013
ML093510484	Transmittal of the Technical Report Entitled "Criticality Analysis for US_APWR New and Spent Fuel Storage Racks, "Revision 1.	December 10, 2009
ML093380320	Mitsubishi Heavy Industries, LTD – Revision 1 of the Technical Report MUAP -07024 "Qualification and Test Plan of Class 1E Gas Turbine Generator System".	November 25, 2009
ML103120092	Revision 2 of the Technical Report MUAP-07024 "Qualification and Test Plan of Class 1E Gas Turbine Generator System."	October 26, 2010
ML12289A330	Transmittal of Revision 3 of the Technical Report MUAP-07024 "Qualification and Test Plan of Class 1E Gas Turbine Generator System".	September 28, 2012
ML111010196	Transmittal of the Technical Report entitled "US-APWR Safety-Related Air Conditioning, Heating, Cooling, and Ventilation Systems Calculation".	April 1, 2011

Enclosure

DC Mitsubishi - US APWR Mailing List

(Revised 07/25/2013)

cc:

Mr. Robert E. Sweeney
IBEX ESI
4641 Montgomery Avenue
Suite 350
Bethesda, MD 20814

Mr. Gary Wright, Director
Division of Nuclear Facility Safety
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, IL 62704

DC Mitsubishi - US APWR Mailing List

Email

acpasswater@aol.com (Al Passwater)
APH@NEI.org (Adrian Heymer)
atsushi_kumaki@mhi.co.jp (Atsushi Kumaki)
awc@nei.org (Anne W. Cottingham)
bgattoni@roe.com (William (Bill) Gattoni)
CumminWE@Westinghouse.com (Edward W. Cummins)
cwaltman@roe.com (C. Waltman)
david.hinds@ge.com (David Hinds)
david.lewis@pillsburylaw.com (David Lewis)
DeLaBarreR@state.gov (R. DeLaBarre)
donald.woodlan@luminant.com (Donald Woodlan)
eliza.seedcoalition@gmail.com (Elza Brown)
erg-xl@cox.net (Eddie R. Grant)
erin_wisler@mnes-us.com (Erin Wisler)
ewallace@nuscalepower.com (Ed Wallace)
gcesare@enercon.com (Guy Cesare)
hiroki_nishio@mhi.co.jp (Hiroki Nishio)
james1.beard@ge.com (James Beard)
jerald.head@ge.com (Jerald G. Head)
Joseph_Hegner@dom.com (Joseph Hegner)
joseph_tapia@mnes-us.com (Joseph Tapia)
jrappe@nuscalepower.com (Jodi Rappe)
jrund@morganlewis.com (Jonathan Rund)
karlg@att.net (Karl Gross)
kevin_lynn@mnes-us.com (Kevin Lynn)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
lchandler@morganlewis.com (Lawrence J. Chandler)
lon.burnam@house.state.tx.us (Lon Burnam)
m.goto@mnes_us.com
maria.webb@pillsburylaw.com (Maria Webb)
mark.a.giles@dom.com (Mark Giles)
masanori_onozuka@mnes-us.com (Masanori Onozuka)
masatoshi_nagai@mnes-us.com (Masatoshi Nagai)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
media@nei.org (Scott Peterson)
michael_melton@mnes-us.com (Michael Melton)
MSF@nei.org (Marvin Fertel)
nirsnet@nirs.org (Michael Mariotte)
Nuclaw@mindspring.com (Robert Temple)
patriciaL.campbell@ge.com (Patricia L. Campbell)
paul.gaukler@pillsburylaw.com (Paul Gaukler)
Paul@beyondnuclear.org (Paul Gunter)

DC Mitsubishi - US APWR Mailing List

pbessette@morganlewis.com (Paul Bessette)
plarimore@talisman-intl.com (Patty Larimore)
rebecca_steinman@mnes-us.com (Rebecca Steinman)
RJB@NEI.org (Russell Bell)
ryan_sprengel@mnes-us.com (Ryan Sprengel)
sabinski@suddenlink.net (Steve A. Bennett)
sfrantz@morganlewis.com (Stephen P. Frantz)
stephan.moen@ge.com (Stephan Moen)
strambgb@westinghouse.com (George Stramback)
Tansel.Selekler@nuclear.energy.gov (Tansel Selekler)
tgilder1@luminant.com (Tim Gilder)
tmatthews@morganlewis.com (T. Matthews)
tom.miller@hq.doe.gov (Tom Miller)
Tony.Robinson@areva.com (Tony Robinson)
trsmith@winston.com (Tyson Smith)
Vanessa.quinn@dhs.gov (Vanessa Quinn)
vijukrp@westinghouse.com (Ronald P. Vijuk)
Wanda.K.Marshall@dom.com (Wanda K. Marshall)
whorin@winston.com (W. Horin)
yoshiki_ogata@mhi.co.jp (Yoshiki Ogata)