

February 24, 2014

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 8, “ELECTRIC POWER,” 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 of the AC Power System related to the United States – Advanced Pressurized Water Reactor (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 basis for holding the referenced information confidential is that it describes the unique design of the gas turbine generator system, developed by MHI, KHI, and ESI and not used in the exact form by any of

MHI's, KHI's, and ESI's competitors. This information was developed at significant cost to MHI, KHI, and ESI, since it required the performance of Research and Development, detailed design for its software and hardware extending over several years.

4. 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.
5. 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.
6. 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

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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.

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

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Office of New Reactors

Docket No. 52-021

cc: See next page

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NRC-001

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DATE	02/21/2014	02/19/2014	02/24/2014

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US-APWR Chapter 8, "Electric Power," Related Letters Submitting Requests for Withholding Information from Public Disclosure

ADAMS Accession Number	Document Title	Document Date
ML100950135	Transmittal of the Technical Report MUAP-09023 "Onsite AC Power System Calculation."	March 29, 2010
ML110120053	Technical Report MUAP-10023, "Initial Type Test Result of Class 1E Gas Turbine Generator System"	December 28, 2010
ML110680316	Technical Report MUAP-10023, "Initial Type Test Result of Class 1E Gas Turbine Generator System," Revision 1	March 1, 2011
ML12289A113	Revision 4 of the Technical Report MUAP-10023 "Initial Type Test Result of Class 1E Gas Turbine Generator System."	September 28, 2012
ML13007A159	Revision 5 of the Technical Report MUAP-10023 "Initial Type Test Result of Class 1E Gas Turbine Generator System"	December 27, 2012
ML13284A107	Revision 6 of the Technical Report MUAP-10023 "Initial Type Test Result of Class 1E Gas Turbine Generator System"	October 2, 2013
ML12361A035	MHI's Response to US-APWR DCD RAI No. 938-6535 (SRP 08.04) Concerning Station Blackout.	December 20, 2012
ML12216A024	MHI's, Response to US-APWR RAI No. 876-6210, Revision 3 (SRP 08.03.01) Regarding AC Power Systems (Onsite)	July 20, 2012
ML13260A349	Transmittal of the Technical Report "Onsite AC Power System Calculation"	September 3, 2013

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)