

March 18, 2015

Subject: MNES Closed Meeting Presentation – Water Jet Peening

**Attachment 1: Affidavit**

**MITSUBISHI HEAVY INDUSTRIES, LTD.**

**AFFIDAVIT**

I, Tomoyuki Inoue, state as follows:

1. I am Engineering Manager, Nuclear Component Designing Department, Nuclear Energy Systems, of Mitsubishi Heavy Industries, Ltd. ("MHI"), and have been delegated the function of reviewing documents to determine whether they contain MHI's information that should be withheld from public disclosure pursuant to 10 C.F.R. § 2.390 (a)(4), 10 C.F.R. § 9.17(a)(4) and Exemption 4 of the FOIA as trade secrets and commercial or financial information that is privileged or confidential and / or personal privacy information.
2. In accordance with my responsibilities, I have reviewed the slide presentation entitled "MHI Water Jet Peening for Alloy 600 Mitigation" and determined that it contains MHI trade secrets and commercial or financial information that is proprietary and confidential and / or personal privacy information and should be withheld from public disclosure. Those pages containing proprietary and confidential information have been labeled "MHI Proprietary Information" at the top of the page and are as follows:
  - Page 5 of the attached presentation material "MHI Water Jet Peening for Alloy 600 Mitigation", which entitled "Qualification Test for RVN"; and
  - Page 22 to 23 of the attached presentation material "MHI Water Jet Peening for Alloy 600 Mitigation", which entitled "Assurance of Coverage of the Areas to be Mitigated by WJP";

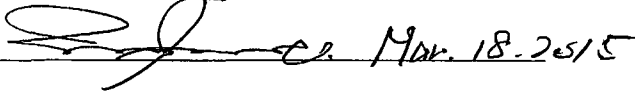
The proprietary and confidential information should be withheld from public disclosure pursuant to 10 C.F.R. § 2.390 (a)(4) and / or (a)(6), 10 C.F.R. § 9.17(a)(4), and Exemption 4 of the FOIA.

3. The information that MHI has identified as proprietary and confidential has been, and will continue to be, held in confidence by MHI. The information's disclosure outside of MHI has been limited to inspection by 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 information identified as proprietary and confidential in the above-listed documents is that it describes unique design, manufacturing, experimental and investigative information developed by MHI and not used in the exact form by any of MHI's competitors. This information was developed at significant cost to MHI since it is the result of an intensive MHI effort. The release of this information could, therefore, cause significant competitive and economic harm to MHI.

5. The information identified as proprietary and confidential in the above listed documents is voluntarily furnished to the Nuclear Regulatory Commission (“NRC”) in confidence and solely for the purpose of information to the NRC staff.
6. The information identified as proprietary and confidential 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 information identified as proprietary and confidential in the above-listed documents and its attachments would assist competitors of MHI in their development water jet peening equipment and procedures and implementation of this technique without incurring the costs or risks associated with development of water jet peening equipment and procedures and implementation of this technique or otherwise result in competitive commercial economic harm to MHI. Therefore, disclosure of the information contained in the above-listed documents would have the following negative impacts on the competitive position of MHI in the U.S. and world nuclear markets:
  - a. Loss of competitive advantage due to the costs associated with development of technologies relating to development of water jet peening equipment and procedures and implementation of this technique. 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 MHI’s ability to development of water jet peening equipment and procedures and implementation of this technique.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 18, 2015.

  
\_\_\_\_\_ Mar. 18. 2015

Tomoyuki Inoue  
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