**MITSUBISHI HEAVY INDUSTRIES, LTD.**
16-5, KONAN 2-CHOME, MINATO-KU
TOKYO, JAPAN

May 31, 2012

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-12145

**Subject: Transmittal of the Technical Report "Sliding Evaluation and Results" (MUAP-12002 Revision 0)**

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") the technical report "Sliding Evaluation and Results". The report is being submitted electronically on compact discs (CDs).

As indicated in the enclosed materials, this report 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. A non-proprietary version of the document is also being submitted with the information identified as proprietary redacted and replaced by the designation "[ ]".

This letter includes a copy of the proprietary version (Enclosure 2) of the technical report, a copy of the non-proprietary version (Enclosure 3) of the technical report, 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).

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 submittal. His contact information is provided below.

Sincerely,

Y. Ogata

Yoshiki Ogata,
Director- APWR Promoting Department
Mitsubishi Heavy Industries, LTD.

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NRO

Enclosures :

1. Affidavit of Yoshiki Ogata

2. CD 1: "Sliding Evaluation and Results" – Proprietary version

3. CD 2: "Sliding Evaluation and Results" – Non-Proprietary version

The file contained in each CD is listed in Attachment 1 and 2 hereto.

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-12145

**MITSUBISHI HEAVY INDUSTRIES, LTD.**

**AFFIDAVIT**

I, Yoshiki Ogata, state as follows:

1. I am Director, APWR Promoting Department, of Mitsubishi Heavy Industries, LTD ("MHI"), and have been delegated the function of reviewing MHI's US-APWR documentation to determine whether it contains information that should be withheld from public disclosure pursuant to 10 CFR § 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 "Sliding Evaluation and Results" dated May 2012, 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 CFR § 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 information and analysis of the US-APWR seismic design, developed by MHI. The design and analysis is not used in the exact same 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 detailed design for its software and hardware extending over several years..

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 US-APWR seismic design. Providing public access to such information permits competitors to duplicate or mimic the seismic design information without incurring the associated costs.

B. Loss of competitive advantage of the US-APWR created by benefits of enhanced US-APWR seismic design development costs associated with the seismic stability design.

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 31st day of May , 2012.

Yoshiki Ogata,
Director- APWR Promoting Department
Mitsubishi Heavy Industries, LTD.

## Attachment 1

## FILE CONTAINED IN CD 1

**CD 1: "Sliding Evaluation and Results" - Proprietary version**

Contents of CD

| File Name | Size | Sensitivity Level |
|---|---|---|
| MUAP-12002 R0 (Proprietary) .pdf | 1.75MB | Proprietary |

## Attachment 2

## FILES CONTAINED IN CD 2

**CD 2: "Sliding Evaluation and Results" – Non-Proprietary version**

Contents of CD

| File Name | Size | Sensitivity Level |
|---|---|---|
| MUAP-12002 R0 (Non Proprietary) .pdf | 0.17MB | Non-Proprietary |