MITSUBISHI HEAVY INDUSTRIES, LTD.
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TOKYO, JAPAN

July 27, 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-12219

Subject: MHI's Comments on NRC's Safety Evaluation for Topical Report MUAP-07008, Revision 2, "FUEL SYSTEM DESIGN CRITERIA AND METHODOLOGY"

Reference: 1) ADVANCED SAFETY EVALUATION BY THE OFFICE OF NEW REACTORS TOPICAL REPORT MUAP-07008, REVISION 2 "FUEL SYSTEM DESIGN CRITERIA AND METHODOLOGY" dated on July, 2, 2012.

With this letter, Mitsubishi Heavy Industries, Ltd. ("MHI") transmits to the U.S. Nuclear Regulatory Commission ("NRC") a document entitled 'MHI's Comments on NRC's Safety Evaluation for Topical Report MUAP-07008, Revision 2, "FUEL SYSTEM DESIGN CRITERIA AND METHODOLOGY"'.

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.

This letter includes a copy of the proprietary version (Enclosure 2) and the Affidavit of Yoshiki Ogata (Enclosure 1) which identifies the bases of the MHI request that all materials designated as "Proprietary" in Enclosure 2 be withheld from public disclosure pursuant to 10 C.F.R. § 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. MHI's Comments on NRC's Safety Evaluation for Topical Report MUAP-07008, Revision 2, "FUEL SYSTEM DESIGN CRITERIA AND METHODOLOGY" (proprietary)

CC: J. A. Ciocco
J. Tapia

Contact Information
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ENCLOSURE 1

Docket No.52-021
MHI Ref: UAP-HF-12219

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 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 document entitled 'MHI's Comments on NRC's Safety Evaluation for Topical Report MUAP-07008, Revision 2, "FUEL SYSTEM DESIGN CRITERIA AND METHODOLOGY"', 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 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 code and files developed by MHI for the fuel of the US-APWR. These were developed at significant cost to MHI, since they required the performance of detailed calculations, analyses, and testing extending over several years. The referenced information is not available in public sources and could not be gathered readily from other publicly available information.

5. The referenced information is being furnished to the Nuclear Regulatory Commission ("NRC") in confidence and solely for the purpose of supporting the NRC staff's review of MHI's Application for certification of its US-APWR Standard Plant Design.

6. Public disclosure of the referenced information would assist competitors of MHI in their design of new nuclear power plants without the costs or risks associated with the design of new fuel systems and components. Disclosure of the information identified as proprietary would therefore have negative impacts on the competitive position of MHI in the U.S. nuclear plant market.

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 27th day of July, 2012.

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