

March 27, 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 7, "INSTRUMENTATION AND CONTROLS," CHAPTER 9,
"AUXILIARY SYSTEMS," AND CHAPTER 18, "HUMAN FACTORS
ENGINEERING," 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 the safety instrumentation and controls (I&C) systems of the US-APWR plant design or the US-APWR Human Factors Engineering or methodology development costs. Providing public access to such information permits competitors to duplicate or mimic the design 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 associated with the safety I&C system or by the benefits of enhanced US-APWR Human Factors Engineering development costs associated with the Human-System Interface System or new/spent fuel analysis methodology.

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

Y. Ogata

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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

Enclosure:
As stated

cc w/encl: See next page

Y. Ogata

- 3 -

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Enclosure:
As stated

cc w/encl: See next page

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NRO-002

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DATE	03/27/2014	03/26/2014	03/27/2014

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US-APWR Chapter 7, "Instrumentation and Controls," Related Letters Submitting Requests for
Withholding Information from Public Disclosure

ADAMS Accession Number	Document Title	Document Date
Chapter 7 Documents		
ML071080429	Transmittal of the Topical Report entitled "Defense in Depth and Diversity"	10-Apr-2007
ML072000269	Transmittal of Revised Version of Topical Report Entitled "US-APWR Topical Report Safety System Digital Platform -MELTAC-."	3-Jul-2007
ML072010349	Revised version of the Topical Report entitled "Safety I&C System Description and Design Process"	3-Jul-2007
ML072010409	Transmittal of Revised Version of the Topical Report Entitled "Defense-in-Depth and Diversity."	3-Jul-2007
ML081770157	MHI Technical Report MUAP-07014 "Defense-in-Depth and Diversity Coping Analysis Revision 1" and MHI Topical Report MUAP-07006 "Defense-in-Depth and Diversity Revision 2".	20-Jun-2008
ML082390120	Mitsubishi Heavy Industries, LTD - Responses to NRC's Requests for Additional Information on Topical Report MUAP-07005-P(R1) , "Safety System Digital Platform - MELTAC".	22-Aug-2008
ML082390261	Mitsubishi Heavy Industries' Responses to NRC's Requests for Additional Information on Topical Report MUAP-07004-P(R1) Safety I&C System Description and Design Process.	22-Aug-2008
ML091250290	MHI's Response to US-APWR DCD RAI No. 229-2022, No. 226-2018, No. 230-2028, No. 227-2020, No. 238-2030, No. 239-2033, No. 240-2035, No. 228-2021 and No. 231-2037, Revision 0.	28-Apr-2009
ML092820322	Accepted Version of The Topical Report Entitled "Defense-In-Depth and Diversity."	30-Sep-2009
ML092820323	Revision 4 of the Topical Report MUAP-07005-P "Safety System Digital Platform - MELTAC."	30-Sep-2009
ML092931166	Revision 3 of the Topical Report MUAP-07004-P "Safety I&C System Description and Design Process".	30-Sep-2009
ML092940785	Revision 1 to the Technical Report JEXU-1015-1009-P, "US-APWR Software Safety Report."	13-Oct-2009
ML093420120	Resubmission of Accepted Version of the Topical Report Entitled "Defense-in-Depth and Diversity."	30-Sep-2009

Enclosure

ADAMS Accession Number	Document Title	Document Date
ML102850494	Mitsubishi Heavy Industries, Revision 2 of the Technical Report MUAP-07017-P, "US-APWR Software Program Manual," and Revision 1 of the Technical Report JEXU-1012-1132-P, "MELTAC Platform Basic Software Program Manual".	30-Sep-2010
ML102930157	Revision 5 of the Technical Report MUAP-07004-P, "Safety I&C System Description and Design Process," Revision 6 of the Topical Report MUAP-07005-P, "Safety System Digital Platform - MELTAC-," Revision 3 of the Technical Report JEXU-1015-1009-P "MELTAC.	13-Oct-2010
ML103340081	MHI's Amended Responses to US-APWR DCD RAI No.593-4565 Revision I (SRP 07.21).	24-Nov-2010
ML103370633	MHI's Responses to US-APWR DCD RAI No. 655-5074 Revision 2 (SRP 07.07) and MHI's Amended Response to NRC's Requests for Additional Information on Topical Report MUAP-07004-P(RI) Safety I&C System Description and Design Process.	1-Dec-2010
ML110350293	Revision 3 of the Technical Report MUAP-07017-P "US-APWR Software Program Manual" and Revision 2 of the Technical Report JEXU-1012-1132-P "MELTAC Platform Basic Software Program Manual."	31-Jan-2011
ML110450323	MHI's Response to NRC's Request for Additional Information No. 677-5325 Revision 2 (SRP 07.08).	9-Feb-2011
ML110460010	MHI's Amended Response to NRC's Request for Additional Information No. 677-5325 Revision 2 (SRP 07.08).	10-Feb-2011
ML11129A106	Transmittal of Revision 6 of Technical Report MUAP-07004-P, Revision 2 of Technical Report MUAP-09021-P, and Revision 7 of Technical Report MUAP-07005-P.	28-Apr-2011
ML11129A174	MHI's Responses to US-APWR DCD RAI for Chapter 7 and Mark Up of Chapter 7 on Revision 3.	28-Apr-2011
ML11160A098	MHI's Responses to US-APWR DCD RAI for Chapter 7 and Mark up of Tier 1 and Chapter 7 on Revision 3.	31-May-2011
ML11160A118	Misubishi Heavy Industries, Ltd., Technical Reports Related to Chapter 7.	31-May-2011
ML11187A281	MHI's Amended Responses to US-APWR DCD Request for Additional Information on Chapter 7.	1-Jul-2011

ADAMS Accession Number	Document Title	Document Date
ML11223A270	MHI's Responses to US-APWR DCD RAI for Chapter 7, Response to the Additional Questions from the NRC, Revision 8 of the Technical Report MUAP-07005-P "Safety System Digital Platform - MELTAC-", and Mark Up of DCD Tier 1 on Revision 3.	1-Aug-2011
ML11229A121	Transmittal of Technical Report MUAP-07014 "Defense-in-Depth and Diversity Coping Analysis Revision 4."	1-Aug-2011
ML11258A153	MHI's Responses to US-APWR DCD RAI for Chapter 7, Response to the Additional Questions from the NRC.	13-Sep-2011
ML11276A109	MHI's Response to US-APWR DCD RAI No. 753-5742 Revision 2 (SRP 07.08).	30-Sep-2011
ML11286A332	MHI Technical Report MUAP-07014 "Defense-in-Depth and Diversity Coping Analysis Revision 5".	30-Sep-2011
ML11336A156	MHI's Responses to US-APWR DCD RAI for Chapter 7.	29-Nov-2011
ML12053A303	Transmittal of Technical Report for the US-APWR Verification and Validation Implementation Plan.	14-Feb-2012
ML12062A136	Mitsubishi Heavy Industries, Ltd., Responses to US-APWR DCD RAI for Chapter 7.	27-Feb-2012
ML12073A252	MHI's Responses to US-APWR DCD RAI No. 833-6058 Revision 3 (SRP 07-14 Branch Technical Position).	12-Mar-2012
ML12339A192	MHI's Responses to US-APWR DCD RAI No. 972-6900 (SRP 07.09) and Amended Response to US-APWR DCD RAI No. 778-5866 REVISION 3 (SRP 07.09).	29-Nov-2012
ML13107A064	MHI's Comments on NRC's Safety Evaluation for US-APWR DCD Chapter 7, "Instrumentation and Controls."	12-Apr-2013
ML13170A023	MHI's Response to US-APWR DCD RAI No. 988-7021 (SRP 07.08).	17-Jun-2013
ML13172A055	Mitsubishi Heavy Industries, Ltd.'s - Amended Response to US-APWR DCD RAI No. 775-5836 Revision 3 (SRP 07.08).	18-Jun-2013
ML13214A166	MHI, Transmittal of Technical Report MUAP-09022, Revision 3, "US-APWR Instrument Setpoint Methodology."	25-Jul-2013
ML13220A150	Mitsubishi Heavy Industries, Ltd.'s Response to US-APWR DCD RAI No. 1037-7045 (SRP Section 07.08).	2-Aug-2013

ADAMS Accession Number	Document Title	Document Date
ML13234A085	MHI's Response to US-APWR DCD RAI No. 1041-7066 (SRP Section 07.08), Diverse Instrumentation and Control Systems, Application Section: MUAP-07014 (Rev 5) - D3 Coping Analysis," dated July 3, 2013.	19-Aug-2013
ML13240A040	MHI's Response to US-APWR DCD RAI No. 992-6999 (SRP 07.09)	26-Aug-2013
ML13252A174	MHI's Response to US-APWR DCD RAI No. 1046-7117 (SRP Section 07.08).	5-Sep-2013
ML13252A203	Transmittal of Technical Report "US-APWR Response Time of Safety I&C System," (MUAP-09021, Revision 3).	22-Aug-2013
ML13280A488	MHI's Response to ACRS Subcommittee Questions on April 25-26, 2013 Regarding DCD Chapter 7.	20-Sep-2013
ML13281A414	MHI Technical Report MUAP-07014 "Defense-in-Depth and Diversity Coping Analysis Revision 6".	30-Sep-2013
ML13288A015	MHI's Response to US-APWR DCD RAI No. 993-7027 (SRP 07-14 Branch Technical Position).	9-Oct-2013
ML13308C473	MHI's Response to US-APWR DCD RAI No. 996-7040 (SRP 07.07) Regarding Control Systems.	1-Nov-2013
ML13308C476	MHI's, Supplemental Response to US-APWR DCD RAI No. 992-6999 (SRP 07.09), Regarding Data Communication Systems.	1-Nov-2013
ML13324A407	Transmittal of Technical Report "US-APWR Software Program Manual," (MUAP-07017, Revision 5).	11-Nov-2013
ML13324A411	MHI's Responses to US-APWR DCD RAI No.995-7024 (SRP 07.01).	11-Nov-2013
ML13326A822	Transmittal of Technical Report "Safety I&C System Description and Design Process".	15-Nov-2013
ML13339A788	Transmittal of Technical Report "MELTAC Platform ISG-04 Conformance Analysis" (MUAP-13018, Revision 0).	29-Nov-2013
ML13350A495	Transmittal of Technical Report "Safety System Digital Platform -MELTAC-" (MUAP-07005, Revision 9).	9-Dec-2013
ML14059A163	MHI's Response to US-APWR DCD RAI No. 1076-7368 (SRP 07.09).	25-Feb-2014

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

Chapter 9 Document		
ML13339A829	MHI's Second Response to US-APWR DCD RAI No. 1055-7184 (SRP 09.01.02).	2-Dec-2013

US-APWR Chapter 18, "Human Factors Engineering," Related Letters Submitting Requests for
Withholding Information from Public Disclosure

Chapter 18 Documents		
ML14069A022	MHI's Response to US-APWR DCD RAI No. 1072-7311 (SRP 18).	28-Feb-2014
ML14070A211	Mitsubishi Heavy Industries, Ltd.'s (MHI's) Response to US-APWR DCD RAI No. 1074-7405 (SRP 18).	6-Mar-2014

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(Revised 03/14/2014)

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