

Jack M. Davis
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DTE Energy



10 CFR 52.3
10 CFR 52.77
10 CFR 52.79
10 CFR 52.80

September 18, 2008
NRC3-08-0003

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington DC 20555-0001

References:

1. Letter from David A. Christian (Dominion Nuclear) to USNRC, "Virginia Electric and Power Company and Old Dominion Electric Cooperative Combined License Application North Anna Power Station Unit 3", NA3-07-001, dated November 26, 2007
2. Letter from Jack M. Davis (DTE Energy) to USNRC, "Detroit Edison Company Submittal of Application for a Combined License for Fermi 3, Part 8 (NRC Project No. 757)", NRC3-08-0004, dated September 18, 2008

Subject: Detroit Edison Company Submittal of Application for a Combined License for Fermi 3 (NRC Project No. 757)

Pursuant to Sections 103 and 185(b) of the Atomic Energy Act, and 10 CFR 52, Subpart C, the Detroit Edison Company (Detroit Edison) hereby applies to the United States Nuclear Regulatory Commission (USNRC) for a Combined License (COL) to construct and operate an ESBWR at the Fermi Nuclear Power Plant site (Fermi). The Detroit Edison Company also applies for such other licenses as would be required to possess and use source, special nuclear and by-product material in connection with the operation of the ESBWR. The ESBWR will be designated and hereinafter referred to as Fermi 3.

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As permitted by 10 CFR 52.55(c), this application incorporates by reference the General Electric – Hitachi (GEH) design certification application for the ESBWR and the associated Design Control Document (DCD), Revision 4. The NRC ESBWR design certification review is continuing and this COL application will be revised to incorporate future DCD revisions. Additionally, if the NRC issues a 10 CFR 52 design certification rule for the GEH ESBWR, this COL application will be revised accordingly.

The North Anna COL application (Reference 1) has been designated the reference plant COL application (R-COLA) by the ESBWR Design Centered Working Group (DCWG). The Fermi 3 application is a subsequent COL application (S-COLA) which contains standard content from the R-COLA, and designates that content as such within the application. The Fermi 3 S-COLA utilizes, to the maximum practical extent, the standard content contained in the North Anna R-COLA. As such, the Fermi 3 application will be revised as appropriate, in a timely manner, when changes are made to the R-COLA. Detroit Edison is committed to work closely with other ESBWR applicants to maintain the benefits of standardization for the COL application and review process.

GEH has submitted ESBWR DCD, Revision 5 to the NRC. A revision will be required to update the R-COLA to the current DCD revision. Once the R-COLA update incorporating DCD Revision 5 is available, the Fermi 3 S-COLA will be revised, in a timely manner, to reflect the updated R-COLA and the ESBWR DCD, Revision 5. While the Fermi 3 COL application is based on ESBWR DCD Revision 4, the application departs from the referenced DCD revision with respect to plant vent stack releases. The Fermi 3 COL application reflects the ESBWR DCD, Revision 5 plant vent stack configuration and related release calculation methodology. These departures are identified within the affected text of Part 2, Final Safety Analysis Report, and are summarized in Part 7, Departures Report. These departures will no longer exist once the application is updated to incorporate DCD Revision 5.

This Fermi 3 COL application is comprised of the following parts:

- Part 1: General and Administrative Information
- Part 2: Final Safety Analysis Report (FSAR)
- Part 3: Environmental Report (ER)
- Part 4: Technical Specifications (TS)
- Part 5: Emergency Plan (E-Plan)

- Part 6: Not Used (reserved for Limited Work Authorization / Site Redress Information)
- Part 7: Departures Report
- Part 8: Security Plan (Safeguards Information - submitted separately)
- Part 9: Not Used (originally intended for plant specific PRA)
- Part 10: Tier 1 / Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC)

Consistent with standard practice, the application text is generally written in the present tense, including discussion of facilities and programs not yet built or implemented. It should be understood, however, that statements regarding facilities (e.g., structures, systems and components), and pre-construction, pre-operational, and operational activities (e.g., procedures and programs) typically address activities that have not yet been performed, and will not be performed until it is appropriate.

This application contains no restricted data or other defense information requiring separation in accordance with 10 CFR 50.33(j). Part 8 of this application is the Fermi 3 Security Plan which contains Safeguards Information, and is controlled pursuant to 10 CFR 73.21(c). Concurrent with this letter, a separate transmittal has been submitted to the USNRC by Detroit Edison that forwards Part 8 of the Fermi 3 COL application (Reference 2).

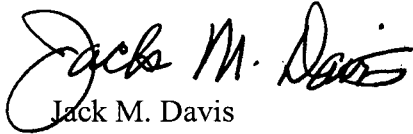
A complete set of application documents is provided in electronic file format on the two enclosed discs (Enclosures 1 and 2). While the Fermi 3 COL application does not contain proprietary, Sensitive Unclassified Non-Safeguards Information, or other material to be withheld from public disclosure, there are both public and non-public versions of the referenced ESBWR DCD. Accordingly two separate versions of the application are enclosed. The Enclosure 1 disc employs links only to the public version of the ESBWR DCD Revision 4. The Enclosure 2 disc employs links to the non-public version of the ESBWR DCD Revision 4. Both discs include a "packing slip" describing its contents, pursuant to NRC instructions for electronic filing. Appropriate pre-submission checks have been successfully performed on the files to ensure conformance with the NRC guidelines. The discs have been found acceptable for electronic submittal.

We understand that the NRC will perform an acceptance review of the Fermi 3 COL application to determine its sufficiency for docketing.

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If you have any questions, or need further information, please contact Mr. Peter W. Smith, Director, Nuclear Development-Licensing at (313) 235-3341.

Sincerely,

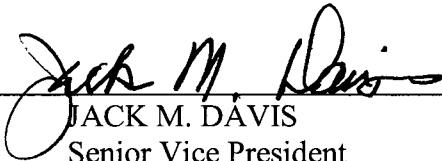


Jack M. Davis

cc: C. P. Patel, NRC Fermi 3 Senior Project Manager (w/o Enclosures)
R. M. Morris, Fermi 2 Senior Resident Inspector (w/o Enclosures)
Regional Administrator, NRC Region III (w/o Enclosures)
Regional Administrator, NRC Region II (w/o Enclosures)
Supervisor, Electric Operators, Michigan Public Service Commission (w/o Enclosures)

Enclosures: Fermi 3 COLA DVD (Public Version)
Fermi 3 COLA DVD (Non-Public Version)

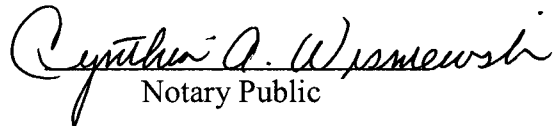
I, Jack M. Davis, do hereby affirm that the foregoing statements are based on facts and circumstances which are true and accurate to the best of my knowledge and belief.



JACK M. DAVIS
Senior Vice President
and Chief Nuclear Officer

On this 5th day of September, 2008 before me personally appeared Jack M. Davis, being first duly sworn and says that he executed the foregoing as his free act and deed.

CYNTHIA A. WISNIEWSKI
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Mar 30, 2013
ACTING IN COUNTY OF


Notary Public

ENCLOSURES
NRC3-08-0003

40 DVDs labeled "Detroit Edison Fermi 3 Combined License Application, Submission 1, September 2008 (Non-Public Version)" containing the following:

Fermi 3 Combined License Application, Revision 0, September 2008 without Part 8, Security Plan (with links to ESBWR DCD Revision 4, Public Version)

DVD Packing Slip as Required by NRC for Electronic Submittals

6 DVDs labeled "Detroit Edison Fermi 3 Combined License Application, Submission 1, September 2008 (Public Version)" containing the following:

Fermi 3 Combined License Application, Revision 0, September 2008 without Part 8, Security Plan (with links to ESBWR DCD Revision 4, Public Version)

DVD Packing Slip as Required by NRC for Electronic Submittals