

October 28, 2004

Ms. Margaret E. Harding, Manager
Fuel Engineering Services
Global Nuclear Fuel - Americas, L.L.C.
Post Office Box 780
Wilmington, NC 28402

SUBJECT: FERMIL 2 - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE (TAC NO. MC4748)

Dear Ms. Harding:

By letter dated October 7, 2004, the Detroit Edison Company submitted an affidavit signed by you dated September 23, 2004, in which you requested that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

Additional Information Regarding the Cycle Specific SLMCPR for Fermi 2, Cycle 11,
dated September 22, 2004.

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GNF-A's competitors without license from GNF-A constitutes a competitive economic advantage over other companies;
- b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version of 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.

M. Harding

- 2 -

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 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 301-415-3243.

Sincerely,

/RA/

David P. Beaulieu, Project Manager, Section I
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-341

cc: See next page

M. Harding

- 2 -

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 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 301-415-3243.

Sincerely,

/RA/

David P. Beaulieu, Project Manager, Section I
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-341

cc: See next page

DISTRIBUTION:

PUBLIC
PDIII-1 R/F
LRaghavan
DBeaulieu

THarris
RidsRgn3MailCenter (EDuncan)
RidsOgcRp
FAkstulewicz

ADAMS Accession No: ML042990384

OFFICE	PDIII-1/PM	PDIII-1/LA	SRXB/SC	PDIII-1/SC
NAME	DBeaulieu	THarris	FAkstulewicz	LRaghavan
DATE	10/27/2004	10/27/2004	10/27/2004	10/28/2004

OFFICIAL RECORD COPY

Fermi 2

cc:

Mr. Peter Marquardt
Legal Department
688 WCB
Detroit Edison Company
2000 2nd Avenue
Detroit, MI 48226-1279

Michigan Department of Environmental Quality
Waste and Hazardous Materials Division
Hazardous Waste and Radiological Protection Section
Nuclear Facilities Unit
Constitution Hall, Lower-Level North
525 West Allegan Street
P.O. Box 30241
Lansing, MI 48909-7741

U.S. Nuclear Regulatory Commission
Resident Inspector's Office
6450 W. Dixie Highway
Newport, MI 48166

Monroe County Emergency Management
Division
963 South Raisinville
Monroe, MI 48161

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60532-4351

Norman K. Peterson
Director, Nuclear Licensing
Detroit Edison Company
Fermi 2 - 280 TAC
6400 North Dixie Highway
Newport, MI 48166

Mr. William T. O'Connor, Jr.
Vice President - Nuclear Generation
Detroit Edison Company
6400 North Dixie Highway
Newport, MI 48166

December 2002