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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 9, 2006

Mr. Donald K. Cobb
Assistant Vice President - Nuclear Generation
Detroit Edison Company
6400 North Dixie Highway
Newport, MI 48166

SUBJECT: FERMI 2 - ADMINISTRATIVE CHANGE TO FACILITY OPERATING LICENSE
IN CONJUNCTION WITH THE COMMISSION ORDER EA-06-037 REGARDING
UPDATED DESIGN-BASIS THREAT AND REVISIONS TO PHYSICAL
SECURITY PLAN, TRAINING AND QUALIFICATION PLAN, AND
SAFEGUARDS CONTINGENCY PLAN (TAC NO. MD2226)

Dear Mr. Cobb:

By letter to the Nuclear Regulatory Commission (NRC) dated May 18, 2006, Detroit Edison Company (DECO), submitted its revised plans and confirmed the full implementation at Fermi 2 of Order EA-06-037 regarding an updated adversary characteristic in the design-basis threat.

The NRC staff has completed its review of the changes related to implementation of Order EA-06-037. As discussed in the enclosed safeguards evaluation (Enclosure 2), the NRC staff has determined that DECO's changes to the security plans meet the requirements of the NRC Order and Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73 requirements and are, therefore, acceptable. The effectiveness of these security provisions will continue to be the subject of NRC review and inspection.

Consistent with the Order, a conforming administrative change to the Facility Operating Licenses is required to ensure implementation of the Order EA-06-037 requirements.

NOTICE: Enclosure 2 contains Security-Related Information. Upon separation from Enclosure 2, this letter and Enclosure 1 are DECONTROLLED.

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Therefore, an administrative license change to Facility Operating License No. NPF-43 is being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan required by the Order. This change complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I. Please replace Page 8 of the Fermi 2 Facility Operating License with the enclosed replacement page (Enclosure 1). Enclosure 2 to this letter is designated exempt from public disclosure under 10 CFR 2.390(d)(1).

If you should have any questions, please contact me at (301)415-1451.

Sincerely,

/RA/

Peter S. Tam, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-341

Enclosures:

1. Revised Page 8 of Facility Operating License
2. Safeguards Evaluation

cc w/encl. 1 only: See next page

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cc:

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- D. Exemptions from certain requirements of Appendices E and J to 10 CFR Part 50, are described in supplements to the SER. These include: (a) an exemption from the requirement of Section IV.F of Appendix E that a full participation emergency planning exercise be conducted within one year before issuance of the first operating license for full power and prior to operation above five percent of rated power (Section 13.3 of SSER #6); (b) an exemption from the requirement of Paragraph III.C.2(b) of Appendix J, the testing of the main steam isolation valves at the peak calculated containment pressure associated with the design basis accident (Section 6.2.7 of SSER #5); and (c) an exemption from the requirement of Paragraph III.D.2(b)(ii) of Appendix J, the testing of containment air locks at times when containment integrity is not required (Section 6.2.7 of SSER #5). These exemptions are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest. Therefore, these exemptions are hereby granted pursuant to 10 CFR 50.12. With the granting of these exemptions, the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.
- E. The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Fermi 2 Physical Security Plan, Security Training and Qualification Plan, and Safeguards Contingency Plan" submitted by letter dated September 9, 2004, and supplemented on October 7, 2004, October 14, 2004, November 18, 2005, and May 18, 2006.
- F. Deleted
- G. The licensees shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.