



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

June 30, 2009

Mr. Jack M. Davis
Senior Vice President and
Chief Nuclear Officer
Detroit Edison Company
Fermi 2 – 210 NOC
6400 North Dixie Highway
Newport, MI 48166

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR FERMI 2 (TAC NO. MD9169)

Dear Mr. Davis:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated June 23, 2008 (Agencywide Documents Access and Management Systems (ADAMS) Accession No. ML081830408), the Detroit Edison Company (DECO) submitted an affidavit dated June 16, 2008, executed by Tim E. Abney of GE-Hitachi Nuclear Energy Americas LLC (GEH), requesting that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2 Section 2.390:

Enclosure 3 – “DTE Energy ENRICO FERMI 2 SAFER/GESTR Loss-of-Coolant Accident Analysis for GE11 Fuel, GE-NE-0000-0047-1716-R1, dated June 2008.” (ADAMS Accession No. ML081830412)

Enclosure 4 – “DTE Energy ENRICO FERMI 2 SAFER/GESTR Loss-of-Coolant Accident Analysis for GE14 Fuel, GE-NE-0000-0030-6565-R1, dated June 2008.” (ADAMS Accession No. ML081830413)

Nonproprietary versions of these documents, Enclosure 5 (ADAMS Accession No. ML081830409) and Enclosure 6 (ADAMS Accession No. ML081830411), have been placed in the NRC's Public Document Room and added to the ADAMS Electronic Reading Room.

The affidavit stated that the submitted information contained in the above documents is classified as proprietary for the reasons stated below:

- 4 (a) Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GEH's competitors without license from GEH 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;
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J. Davis

- 2 -

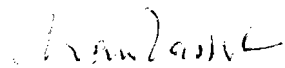
We have reviewed your application and the material in accordance with the requirements of 10 CFR 9.17 and 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the applicable portions of the documents 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.

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 301-415-8371.

Sincerely,



Mahesh Chawla, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-341

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- 2 -

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Sincerely,

/RA/

Mahesh Chawla, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-341

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