

November 20, 2009

EA-09-286

Mr. Jack Davis
Chief Nuclear Officer
Detroit Edison Company
One Energy Plaza
Detroit, MI 48226-1279

SUBJECT: ACKNOWLEDGMENT OF DISPUTED VIOLATION FROM DETROIT EDISON
TO NRC INSPECTION REPORT 05200033/2009-201

Dear Mr. Davis:

This letter acknowledges the letter from Mr. Peter W. Smith, Detroit Edison Company (DECo), to the U.S. Nuclear Regulatory Commission (NRC), dated November 9, 2009. The letter provided a response to NRC inspection report 05200033/2009-201, dated October 5, 2009, concerning our assessment of your compliance with the provisions of selected portions of Appendix B to 10 CFR Part 50, "Quality Assurance Program Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," with respect to the Fermi Unit 3 combined license application. The letter contested three (3) Severity Level IV violations contained in the NRC Notice of Violation of the subject inspection report, namely Violation 05200033/2009-201-01, Violation 05200033/2009-201-02, and Violation 05200033/2009-201-03.

We are currently reviewing your basis for contesting the Notice of Violation. The NRC seeks to be thorough and timely in the review of licensee's and applicant's response to Notices of Violation. Accordingly, we will inform you as soon as we complete our evaluation of your response to the inspection report.

In accordance with 10 CFR 2.390, "Public Exemptions, Requests for Withholding," the agency will make a copy of this letter and your response available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Richard Rasmussen, Chief
Quality and Vendor Branch B
Division of Construction Inspection
& Operational Programs
Office of New Reactors

Docket No. 052-00033

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Richard Rasmussen, Chief
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Docket No. 052-00033

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