



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, IL 60532-4352

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November 18, 2009

EA-09-136

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: FERMI POWER PLANT, UNIT 2
NRC SECURITY BASELINE INSPECTION REPORT 05000341/2009403(DRS)

Dear Mr. Davis:

On October 23, 2009, the U. S. Nuclear Regulatory Commission (NRC) completed a security baseline inspection of your Fermi Power Plant, Unit 2. The inspection covered one or more of the key attributes of the security cornerstone of the NRC's Reactor Oversight Process. The enclosed inspection report documents the inspection results, which were discussed on October 23, 2009, with Mr. Plona and other members of your staff.

The inspection examined activities conducted under your license as they relate to security and compliance with the Commission's rules and regulations and the conditions of your license. The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel.

Based on the results of this inspection, no findings of significance were identified. However, one licensee-identified violation, which was determined to be of very low security significance, is listed in this report. The NRC is treating this violation as a non-cited violation (NCV) consistent with Section VI.A.1. of the NRC Enforcement Policy because of the very low security significance of the violation and because it was entered into your corrective action program. If you contest this NCV, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001; with copies to the Regional Administrator, Region III; the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at the Fermi Power Plant, Unit 2.

Enclosure contains Sensitive Unclassified
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In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System (PARS) component of NRC's Agency wide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). However, because of the security-related concerns contained in the enclosure, and in accordance with 10 CFR 2.390, a copy of this letter's enclosure will not be available for public inspection.

In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response, if any. This practice will ensure that your response will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system, ADAMS. If Safeguards Information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21. Otherwise, mark your entire response "Security-Related Information - Withhold Under 10 CFR 2.390" and follow the instructions for withholding in 10 CFR 2.390(b)(1).

Should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,

/RA/

Eric Duncan, Chief
Plant Support Branch
Division of Reactor Safety

Docket No. 50-341
License No. NPF-43

Nonpublic Enclosure: Inspection Report 05000341/2009403(DRS)
w/Attachment: Supplemental Information

cc w/encl: S. Coker, NSIR/DSO/DDSO/STSB
T. Strong, Chief, State Liaison Officer, State of Michigan

cc w/o encl: Distribution via ListServ

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Letter to Jack M. Davis from Eric R. Duncan dated November 18, 2009.

SUBJECT: FERMIL POWER PLANT, UNIT 2
NRC SECURITY BASELINE INSPECTION REPORT 05000341/2009403(DRS)

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