June 30, 2010

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 ADDITIONAL INFORMATION LETTER NO. 37 RELATED TO THE SRP SECTIONS 2.5.1, 13.3 and 17.5 FOR THE FERMI 3 COMBINED LICENSE APPLICATION

Dear Mr. Davis:

By letter dated September 18, 2008, Detroit Edison Company (Detroit Edison) submitted for approval a combined license application pursuant to 10 CFR Part 52. The U.S. Nuclear Regulatory Commission (NRC) staff is performing a detailed review of this application to enable the staff to reach a conclusion on the safety of the proposed application.

The NRC staff has identified that additional information is needed to continue portions of the review. The staff's request for additional information (RAI) is contained in the enclosure to this letter. To support the review schedule, you are requested to respond within 45 days of the date of this letter. If changes are needed to the safety analysis report, the staff requests that the RAI response include the proposed wording changes.

If you have any questions or comments concerning this matter, I can be reached at 301-415-4093 or by e-mail at adrian.muniz@nrc.gov.

Sincerely,

/RA/

Jerry Hale, Project Manager
BWR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket Nos. 052-033

eRAI Tracking Nos. 4786, 4810, 4812, 4813, 4822

Enclosure:
Request for Additional Information

June 30, 2010

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 ADDITIONAL INFORMATION LETTER NO. 37 RELATED TO THE SRP SECTIONS 2.5.1, 13.3 and 17.5 FOR THE FERMI 3 COMBINED LICENSE APPLICATION

Dear Mr. Davis:

By letter dated September 18, 2008, Detroit Edison Company (Detroit Edison) submitted for approval a combined license application pursuant to 10 CFR Part 52. The U.S. Nuclear Regulatory Commission (NRC) staff is performing a detailed review of this application to enable the staff to reach a conclusion on the safety of the proposed application.

The NRC staff has identified that additional information is needed to continue portions of the review. The staff's request for additional information (RAI) is contained in the enclosure to this letter. To support the review schedule, you are requested to respond within 45 days of the date of this letter. If changes are needed to the safety analysis report, the staff requests that the RAI response include the proposed wording changes.

If you have any questions or comments concerning this matter, I can be reached at 301-415-8148 or by e-mail at jerry.hale@nrc.gov.

Sincerely,
/RA/
Jerry Hale, Project Manager
BWR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket Nos. 052-033
eRAI Tracking Nos. 4786, 4810, 4812, 4813, 4822
Enclosure:
Request for Additional Information
Distribution:
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R. Rasmussen, NRO
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OFFICE	NRO/RGS1	NRO/CQVB	OGC	NGE1/PM
NAME	R. Karas	R. Rasmussen	M. Carpentier	JHale
DATE	6/15/10	6/10/10	6/14/10	6/30/10

***Approval captured electronically in the electronic RAI system.**

OFFICIAL RECORD COPY

Request for Additional Information No. 4786

SRP Section: 13.03 - Emergency Planning

13.03-52

Supplemental RAI 13.03-17: Subject: ETE General Assumptions

The applicant's response to Supplemental RAI 13.03-01 regarding all households awaiting the return of a commuter(s) addressed the affect on the number of vehicles in the evacuation stream and the reduction in transit-dependent persons in Section 8, "Transit Facility and Special Facility Evacuation Time Estimates." However, Section 5, "Estimation of Trip Generation Time," also contains references in text, tables, and figures to commuters who do not return home and households that do not await the return of a commuter. Revise the distributions and text references regarding commuters in Section 5 to account for the households delay in evacuating until commuters return home, mobilization and evacuation distributions change, or explain why the distributions that include commuters in Figure 5-3, "Comparison of Trip Generation Distributions," and Table 5-1, "Trip Generation Histograms for the EPZ Population," remain appropriate.

13.03-53

Supplemental RAI 13.03-19: Subject: Analysis of Evacuation Times, Methodology - Travel Delay

In response to Supplemental RAI 13.03-04, the applicant agreed that route specific-speeds should be used for ambulances rather than network-wide average speeds. The applicant stated that ambulances will use the same routes as buses evacuating ambulatory patients from medical facilities within the EPZ, and provided route specific speeds in Table 8-13A, "Evacuation Time Estimates for Ambulances – Good Weather" that range from 25.8 to 42.1 mph with departures at 60 minutes.

The route specific speeds for ambulances would be expected to be similar to the speeds for school buses leaving the same vicinity with vehicle departure at 50 minutes as identified in Table 8.5A, "School Evacuation Time Estimates – Good Weather." However, speeds in Table 8.5A range from 10.0 to 21.1 mph. Similarly, Table 8-11A, "Special Facility Folding Wheelchair Evacuation Time Estimates – Good," shows a vehicle departure time for Medilodge II at 75 minutes and a speed of 10.2 mph. In Table 8.13A, ambulances depart Medilodge at 60 minutes and travel at 37.6 mph. Explain why the speeds of 25.8 to 42.1 mph at 60 minutes, as provided in Table 8-13A, are greater than the speeds for vehicles leaving both before and after 60 minutes, as identified in Tables 8-5A and 8-11A.

Request for Additional Information No. 4810

SRP Section: 17.5 - Quality Assurance Program Description - Design Certification, Early Site Permit and New License Applicants

17.5-20

SRP Section 17.5 and the Nuclear Energy Institute (NEI) QAPD template (NEI 06-14, Revision 7, "Quality Assurance Program Description") are based upon the requirements of ASME standard NQA-1 “Quality Assurance Requirements for Nuclear Facility Applications” (1994 Edition).

The NRC endorsed the NEI QAPD template as a method for providing a QAPD that meets the requirements of 10 CFR Part 50, Appendix B.

The Fermi 3 Combined License Application, Part 2: Final Safety Analysis Report (FSAR), Chapter 17.5 states the QAPD applies to activities to adapt the design to specific plant implementation, construction, and operations is based on NEI 06-014A (previous version of NEI 06-14).

The Fermi 3 QAPD (FSAR Appendix 17AA) Part IV, “Regulatory Commitments,” commits to ASME NQA-1 (1994 Edition) as described in the QAPD. However, Fermi 3 FSAR Table 1.9-204, “Industrial Codes and Standards,” indentifies ASME NQA-1 (2004 Edition) as applicable to those portions of the Fermi 3 design that are beyond the scope of the DCD and to the operational aspects of the facility.

Please clarify when each version of the ASME NQA-1 standard will apply for Fermi 3, and describe how Fermi 3 policies and procedures will address coordinating the two standards.

Request for Additional Information No. 4812

SRP Section: 17.5 - Quality Assurance Program Description - Design Certification, Early Site Permit and New License Applicants

17.5-21

SRP Section 17.5 part II, subsection A, “Organization,” states that the applicant’s QAPD should 1) contain an organizational description that addresses the organizational structure, functional responsibilities, levels of authority, and interfaces, 2) include the onsite and offsite organizational elements that function under the cognizance of the QA program, 3) define the interface responsibilities for multiple organizations.

The NRC endorsed the Nuclear Energy Institute (NEI) QAPD template (NEI 06-14, Revision 7, "Quality Assurance Program Description") as a method for providing a QAPD that meets the requirements of 10 CFR Part 50, Appendix B.

Attachment 6 to NRC3-09-0027, “Detroit Edison Company Response to NRC RAI Letter No.10,” dated September 30, 2009, states FSAR Appendix 17AA, Part II, Section 1, Fermi 3 QAPD “Organization” will be revised to reflect NEI 06-14, Revision 7.

NEI Template 06-14, Revision 7, Part II, section 1 “Organization”, The fourth note states “Structure Section 1, ”Organization” of the QAPD such that it clearly delineates how the QA program is implemented during all applicable phases such as the period of construction and testing and the operations phase. The transition process from one phase to another must be described. Position descriptions should clearly delineate these roles during each applicable phase such as the construction/pre-operational phase, the operations phase, as well as the transition period between the phases.”

Proposed changes to the Fermi 3 QAPD (FSAR Appendix 17AA) Part II, Section 1, provided as part of Attachment 8 to NRC3-10-0016, “Detroit Edison Company Response to NRC Request for Additional Information Letter No.25,” dated April 26, 2010, contains general information addressing the organizational change process between phases.

Staff review identified that the QAPD does not appear to meet the organizational guidance of the NEI QAPD template for all described phase transitions. Specifically, Section 1 does not provide enough detailed information to address the fourth note of the NEI template 06-14, Revision 7, Part II, Section 1, “Organization.”

Please provide the following additional details within Part II, Section 1, of the QAPD to address the fourth note of NEI 06-14, Revision 7, Part II, section 1, or provide justification for any exceptions to the guidance provided in NEI 06-14, Revision 7:

(a) Please identify each applicable project phase described within the QAPD, Part II, section 1 “Organization”.

(b) Please describe the organizational transition process between each of the applicable project phases. Response should address implementation and control of major transitions such as staff positions, staff locations, project management, and continuity of on-going quality programs (e.g. corrective actions, quality assessments, etc.).

Note: This RAI is supplemental to RAI 17.5-10 included in NRC RAI Letter No. 25, dated March 2, 2010.

Request for Additional Information No. 4813

SRP Section: 17.5 - Quality Assurance Program Description - Design Certification, Early Site Permit and New License Applicants

17.5-22

10 CFR 50.34(f)(3)(iii)(B) states an applicant's quality assurance (QA) program is based on consideration of performing quality assurance/quality control functions at construction sites to the maximum feasible extent.

SRP Section 17.5 part II, subsection A, "Organization," states that the applicant's QAPD should 1) contain an organizational description that addresses the organizational structure, functional responsibilities, levels of authority, and interfaces, 2) include the onsite and offsite organizational elements that function under the cognizance of the QA program, 3) define the interface responsibilities for multiple organizations.

The NRC endorsed the Nuclear Energy Institute (NEI) QAPD template (NEI 06-14, Revision 7, "Quality Assurance Program Description") as a method for providing a QAPD that meets the requirements of 10 CFR Part 50, Appendix B.

Attachment 6 to NRC3-09-0027, "Detroit Edison Company Response to NRC RAI Letter No.10," dated September 30, 2009, states FSAR Appendix 17AA, Part II, Section 1, Fermi 3 QAPD "Organization" will be revised to reflect NEI 06-14, Revision 7.

Proposed changes to the Fermi 3 QAPD (FSAR Appendix 17AA) Part II, Section 1, provided as part of Attachment 11 to NRC3-10-0016, "Detroit Edison Company Response to NRC Request for Additional Information Letter No.25," dated April 16, 2010, provides detailed organization and position descriptions for the pre-COL, design and construction, and operational organizations.

Please clarify the following for proposed changes to section 1 of the QAPD, Part II:

a) Section 1.2.2.2.1 states the Director, Nuclear Development reports to the Sr. VP MEP and to the CNO and is responsible for the implementation of quality assurance requirements in the areas specified by the QAPD. Please clarify the "specified" areas in the QAPD and who has responsibilities for other "unspecified" areas.

b) QAPD Figure II.1-2, "Design and Construction Organization (Insert 15)," depicts the Architect/Engineer (1.2.5.3) position without a reporting line. Please clarify the Architect/Engineer reporting structure.

c) QAPD Figure II.1-3, "Fermi 3 Site Organization (Insert 16)," appears to indicate all depicted positions are located onsite (based on the title), but some positions appear to be corporate positions. Please clarify which positions are located on the Fermi site.

d) Both QAPD Figure II.1-2, “Design and Construction Organization (Insert 15),” and QAPD Figure II.1-3, “Fermi 3 Site Organization (Insert 16),” show all Fermi 3 QA positions located offsite. Please include any onsite QA personnel in the position descriptions and organization charts in section 1, or describe how offsite QA staff coordinates onsite quality activities for the various Fermi 3 phases.

Note: This RAI is supplemental to RAI 17.5-13 included in NRC RAI Letter No. 25, dated March 2, 2010.

Request for Additional Information No. 4822

SRP Section: 02.05.01 - Basic Geologic and Seismic Information

02.05.01-31

In response to RAI 2.5.1-8, you proposed a markup to revise FSAR Table 2.5.1-201, in order to clarify the correct sense of displacement along the Royal Center fault. However, the revised table provided in response to RAI 2.5.1-8 is FSAR Table 2.0-201. In accordance with 10 CFR 100.23, please provide the proposed markup to revise FSAR Table 2.5.1-201.

02.05.01-32

In response to RAI 2.5.1-15, you provided a proposed revision to FSAR Figure 2.5.1-207 in which you include the approximate limits of the Cottonwood Grove fault and the Reelfoot rift. However, the revised FSAR Figure 2.5.1-207 (provided in response to RAI 2.5.1-15) shows the Cottonwood Creek fault. In accordance with 10 CFR 100.23, please provide a revised FSAR Figure 2.5.1-207 including the approximate limits of the Cottonwood Grove fault.