

August 8, 2013

Mr. Joseph H. Plona
Senior Vice President and Chief Nuclear Officer
Detroit Edison Company
6400 North Dixie Highway
Newport, MI 48166

SUBJECT: FERMI 1 - ISSUANCE OF AMENDMENT TO CHANGE LICENSEE NAME ON
THE OPERATING LICENSE

Dear Mr. Plona:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 21 to Facility Operating License No. DPR-9 for the Fermi 1 facility. The amendment consists of changes to the license in response to your application dated December 21, 2012.

The amendment revises the Fermi 1 license to change the licensee's name on the license to "DTE Electric Company." This name change is purely administrative in nature. Detroit Edison is a wholly owned subsidiary of DTE Energy Company, and this name change is part of a set of name changes of DTE Energy subsidiaries to conform their names to the "DTE" brand name. No other changes are contained within this amendment. This change does not involve a transfer of control over or of an interest in the license for Fermi 1.

A copy of our safety evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

/RA/

Theodore B. Smith, Project Manager
Reactor Decommissioning Branch
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No. 50-16

Enclosures:

1. Amendment No. 21 to DPR-9
2. Safety Evaluation

cc w/encls: Distribution FERMI distribution list

Mr. Joseph H. Plona
Senior Vice President and Chief Nuclear Officer
Detroit Edison Company
6400 North Dixie Highway
Newport, MI 48166

SUBJECT: FERM1 1 - ISSUANCE OF AMENDMENT TO CHANGE LICENSEE NAME ON
THE OPERATING LICENSE

Dear Mr. Plona:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 21 to Facility Operating License No. DPR-9 for the Fermi 1 facility. The amendment consists of changes to the license in response to your application dated December 21, 2012.

The amendment revises the Fermi 1 license to change the licensee's name on the license to "DTE Electric Company." This name change is purely administrative in nature. Detroit Edison is a wholly owned subsidiary of DTE Energy Company, and this name change is part of a set of name changes of DTE Energy subsidiaries to conform their names to the "DTE" brand name. No other changes are contained within this amendment. This change does not involve a transfer of control over or of an interest in the license for Fermi 1.

A copy of our safety evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

Theodore B. Smith, Project Manager
Reactor Decommissioning Branch
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No. 50-16

Enclosures:

1. Amendment No. 21 to DPR-9
2. Safety Evaluation

cc w/encls: Distribution FERMI distribution list

DISTRIBUTION: ROrlikowski, RIII

ML13204A092

OFFICE	DWMEP	DWMEP	OGC (via email)	DWMEP	DURLD	DWMEP
NAME	TSmith	SAchten	HBenowitz	BWatson	APersinko	TSmith
DATE	07/24 /3	07/26/13	08/5/13	08/6/13	08/8/13	08/8/13

OFFICIAL RECORD COPY

Fermi Power Plant Service List

Mr. Joseph H. Plona
Assistant Vice President
Nuclear Generation
Detroit Edison Company
6400 North Dixie Highway
Newport, MI 48166

Christine Lipa, Chief
Decommissioning Branch
Division of Nuclear Material Safety
U.S. NRC/Region III

Ms. Lynne Goodman
Manager - Fermi1
Detroit Edison Company
6400 North Dixie Highway
Newport, MI 48166

Mr. Richard Whale
Michigan Public Service Commission
6545 Mercantile Way
PO Box 30221
Lansing, MI 48909

John Flynn Esq.
Senior Attorney
Detroit Edison Company
2000 Second Avenue
Detroit, MI 48226

Radiological Protection Section
Michigan Department of
Environmental Quality
PO Box 30241
Lansing, MI 48909-1278

U.S. Nuclear Regulatory Commission
Resident Inspector's Office
6450 W. Dixie Highway
Newport, MI 48166

Monroe County Office of Civil
Preparedness
963 South Raisinville
Monroe, MI 48161

Flint Watt, P.E., Chief
Bureau of Environmental and
Occupational Health
Michigan Department of Public Health
3423 N Logan Street
PO Box 30195
Lansing, MI 48909

DETROIT EDISON COMPANY
DOCKET NO. 50-15
FERMI 1
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No.
21
License No. DPR-9

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by the Detroit Edison Company (DECo, the licensee) dated December 21, 2012, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to Facility Operating License No. DPR-9 as indicated in the attachment to this license amendment.
3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Andrew Persinko, Deputy Director
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Attachment: Technical Specifications

Date of Issuance: August 8, 2013

Enclosure 1

ATTACHMENT TO LICENSE AMENDMENT NO. 21

FACILITY OPERATING LICENSE NO. DPR-9

DOCKET NO. 50-16

Replace the following pages of the Facility License DPR-9 with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

REMOVE

Pages 1 through 2
Pages 4 through 5

INSERT

Pages 1 through 2
Pages 4 through 5

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 21 TO FACILITY OPERATING LICENSE NO. DPR-9
DETROIT EDISON (DTE ELECTRIC) COMPANY
FERMI 1
DOCKET NO. 50-16

1.0 INTRODUCTION

By application dated December 21, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13002A037), Detroit Edison Company (the licensee), requested changes to the operating license for Fermi 1. The proposed changes would revise the Fermi 1 license to change the name from "Detroit Edison" to "DTE Electric Company." The name change is purely administrative in nature. Detroit Edison is a wholly owned subsidiary of DTE Energy Company. This name change is part of a set of name changes of DTE Energy Subsidiaries to conform their names to the "DTE" brand name. This amendment does not involve a transfer of control over or of an interest in the license for Fermi 1.

2.0 REGULATORY EVALUATION

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.80, "Transfer of Licenses," no license or control of a license for a utilization facility may be transferred, directly or indirectly, to any entity unless the NRC consents in writing. However, licensee name changes do not, by themselves, constitute license transfers. The proposed amendment is purely a name change and does not involve the transfer of any control over the Fermi 1 license to another entity.

Standard NRC guidance on this subject is contained in "Standard Review Plan on Power Reactor Licensee Financial Qualifications and Decommissioning Funding Assurance," NUREG-1577, Revision 1, which states, "NRC regulations in 10 CFR 50.80 require Commission review of and written consent to direct as well as indirect transfers of operating licenses, including licenses for nuclear power plants owned or operated by electric utilities. When the transfer involves a change in the licensee listed on the NRC license, the applicant must also apply for a license amendment under Section 50.90." It further states, "A name change of a licensee that does not involve license transfer considerations under Section 50.80 will be effected by a license amendment issued administratively under Section 50.90."

3.0 TECHNICAL EVALUATION

In the application, the licensee states:

On December 21, 2012, the Board of Directors of the Detroit Edison Company approved a change in the name of the corporation from the “The Detroit Edison Company” to “DTE Electric Company” to take effect as of January 1, 2013. DTE Energy, the parent company and sole shareholder, approved the name change simultaneously therewith. Upon approval of the name change, Detroit Edison filed the amendment of the Articles of Incorporation with the Bureau of Commercial Services at the Michigan Department of Licensing and Regulatory Affairs, in order to conduct business under the new name. The name change is expected to be effective January 1, 2013. The corporate name is being changed to make the name of Detroit Edison, like those of other DTE Energy subsidiaries, more consistent with the “DTE” name branding of the parent company.

It further states:

There will be no ownership or management changes as a result of the name change. The proposed change does not affect the technical or financial qualifications of Detroit Edison, or alter any technical content of the Fermi 1 Operating License or any technical content of the Fermi 1 Technical Specifications requirements; nor does it have any programmatic effect on the Detroit Edison Operational Quality Assurance Program for Fermi 1. The change will have no impact on the design, function or operation of any plant structure, system or component, either technically or administratively.

In view of the preceding statements, the NRC staff believes that the proposed amendments are administrative in nature and no substantive changes to the licensee’s arrangements or ability to own or decommission Fermi 1 will result from amending the licenses to reflect the name change. No transfer of the license is being proposed in the application. The NRC staff therefore concludes that the amendment to the operating license to reflect the corporate name change of the licensee, from “Detroit Edison Company” to “DTE Electric Company,” is acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission’s regulations, the Michigan State official was notified of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration and there has been no public comment on such finding (78 FR 16879; dated March 19, 2013). Accordingly, the amendment meets the eligibility criteria

for categorical exclusion set forth in 10 CFR 51.22(c)(10)(iii). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: T. Smith

Date of issuance: August 8, 2013