



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

March 13, 2015

Mr. Vito Kaminskas  
Site Vice President – Nuclear Generation  
DTE Electric Company  
Fermi 2 – 280 OBA  
6400 North Dixie Highway  
Newport, MI 48166

**SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
(TAC NO. MF4222)**

Dear Mr. Kaminskas:

By letter dated January 30, 2015, Agencywide Documents Access and Management System (ADAMS) Accession No. ML15030A350, you submitted an affidavit dated January 9, 2015, executed by Lisa K. Schichlein of GE-Hitachi Nuclear Energy Americas LLC (GEH), requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

- Enclosure 2 to NRC-15-0022, "Enclosure 1 to GEH Letter 318178-5, "Response to RAI 4.2.2-2" - PROPRIETARY"

A nonproprietary version of this document is located in the letter (Enclosure 3 of this letter, ADAMS Accession No. ML15030A350).

The affidavits stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- The information is identified as proprietary because it contains details on the GEH methodology for determining certain plant-specific details for boiling water reactors.
- Public disclosure of this information is likely to cause substantial harm to GEH's competitive position.

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

Therefore, Enclosure 2 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 Nuclear Regulatory Commission (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 301-415-3301 or e-mail [Daneira.Melendez-Colon@nrc.gov](mailto:Daneira.Melendez-Colon@nrc.gov).

Sincerely,

**/RA/**

Daneira Meléndez-Colón, Project Manager  
Projects Branch 1  
Division of License Renewal  
Office of Nuclear Reactor Regulation

Docket No. 50-341

cc: Listserv

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Sincerely,

/RA/

Daneira Meléndez-Colón, Project Manager  
Projects Branch 1  
Division of License Renewal  
Office of Nuclear Reactor Regulation

Docket No. 50-341

cc: Listserv

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D. Meléndez-Colón

D. McIntyre, OPA

**ADAMS Accession No. ML1505A171**

**\*concurred via email**

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