

August 5, 1988



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

July 28, 1988

The Honorable James Caldwell
The Honorable Herb Gray
The Honorable Steven Langdon
The Honorable Howard McCurdy
Members of Parliament
House of Commons
Ottawa, Canada KIA 0A6

Dear Members of Parliament:

SUBJECT: 2.206 PETITION REGARDING ENRICO FERMI ATOMIC POWER PLANT, UNIT 2
(FERMI-2)

This letter is in response to your February 4, 1988, petition pursuant to 10 CFR 2.206 regarding the Fermi-2 facility, which requests that:

- a) the NRC decision to allow Fermi-2 to operate at 100% power be overturned;
- b) the license to operate Fermi-2 be revoked; and
- c) Detroit Edison be required to prove to the satisfaction of both the NRC and the relevant Canadian authorities that Fermi-2 is absolutely safe to operate at any level and that such Fermi-2 operation does not present any danger to the health and safety of the people of Windsor and Essex County.

Your petition identifies, as the bases for these requests, the January 15, 1988 letter from Mr. A. Bert Davis, Regional Administrator, Region III, to Detroit Edison and an attached NRC Regulatory Assessment, that authorizes Fermi-2 to operate at full power. According to your petition, these documents reveal that there are a number of deficiencies at Fermi-2 that should have prevented the NRC from granting this authorization.

You also assert that this plant is unsafe to operate since:

- (1) Mark I containments will fail in 90% of the severe accident scenarios;
- (2) Fermi-2 has been permitted an exemption from the rule requiring the inerting of the primary containment system with nitrogen;
- (3) There have been "continual discoveries of inadequate infrastructure in the construction of Fermi-2" causing it to experience the highest level of fines of any reactor in the U.S.;
- (4) Fermi-2 violated NRC regulations by its failure to provide information regarding reaching criticality in 1985; and
- (5) Fermi-2's use of the SAFETEAM concept holds back information.

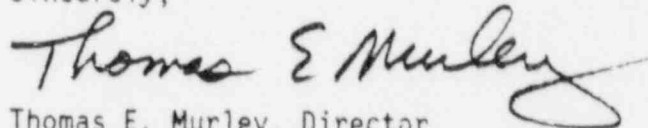
The NRC staff has reviewed your petition in light of all information attached thereto. The results of that review are contained in the enclosed "Director's Decision Under 10 CFR 2.206." For the reasons stated in this decision, your request has been denied.

A copy of this decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206(c) of the Commission's regulations. As provided by this regulation, the decision will constitute the final action of the Commission 25 days after the date of issuance of the decision unless the Commission, on its own motion, institutes a review of the decision within that time.

For your information, I have enclosed a copy of the notice filed with the Office of the Federal Register for publication.

It should be noted, however, that although the NRC staff concludes that Fermi-2 is safe to continue to operate, the staff will closely monitor the Fermi-2 performance and take necessary action to assure that the plant remains safe to operate.

Sincerely,



Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Enclosures:

1. Director's Decision (88-11)
2. Federal Register Notice

cc w/enclosures:
See next page

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